

MINUTES OF SPECIAL MEETING

=

Monday, January 5, 1981

7:30 p.m. Special Meeting was held by the Board of Selectmen, together with the School Committee, Commissioners, Trustees, Advisory Committee and interested citizens.

1982 Budgets of the School Department and the Town were presented at this meeting.

MINUTES OF MEETING
BOARD OF SELECTMEN

January 6, 1981

Hearing Room:

- 7:30 p.m. Present: Chairman Donna McDaniel, Selectman Louis Bartolini, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, and members of the press. (Selectman Thomas McAuliffe is on vacation until January 16.)
- 7:30 p.m. Meeting with Industrial Development Commissioners.
to Chairman of IDC Russell Millholland stated he asked for
7:55 p.m. this meeting regarding the status of Route 9 and concerns for impact on Southborough from increased traffic from new industry in Westborough and in Southborough. Present for the State Department of Public Works, Worcester, were: Henry C. Holmes, District Highway Engineer, and Robert Shea, District Traffic Engineer. Mr. Millholland asked about the Westborough Route 9 Study; could Southborough be a co-recipient? He wanted to make sure that Southborough was considered on a full-scale basis in the Route 9 Study Report. Mr. Holmes said an aerial survey is planned for the Framingham/Southborough line to the Shrewsbury/Worcester line. Photos will be taken before the foliage comes out in the Spring. The problem with having a study done is funding of the same. The State does not have the money. Mr. Holmes is unsure if there is any Federal money available. Mr. Holmes has no idea as to how much a study would cost. At this time there are no primary road funds available, just planning funds. Construction funds have been committed for the next 20 years. Aerial survey will show elevations, land takings, etc. Southborough is definitely part of the Westboro study. The DPW will draw up an as-is plan. In answer to a question, re lowering speed limits on Route 9 in Southborough, the DPW said if a letter is sent to them, they will study the area in question (Route 9 and Middle Road area was mentioned as a possible area to lower the speed limit.)
- 7:55 p.m. Chairman McDaniel read the January 5, 1981 letter from Fire Chief Edward Brock regarding the one bid he received and opened on January 2 regarding a used aerial ladder truck (authorized under Article 21 ATM '80). Therefore, Selectman Bartolini made a motion, seconded by Chairman McDaniel and unanimously VOTED: to purchase from Justin A. Taylor, 626 Theresa Street, Clayton, New York, one 1964 American LaFrance Ladder Truck, equipped with a 100 foot Seagraves aerial ladder, for the sum of \$44,975.68 as per bid dated December 26, 1980.
- 8:00 p.m. Site Plan Hearing on application of A. J. Lane, Trustee
to of Country Estates Realty Trust proposing to construct
10:10 p.m. an office building at 225 Turnpike Road (at Middle Road).
Representing the applicant were: Attorney Charles B. Swartwood III and Ed Cox, Consulting Engineer for Country Estates Realty Trust. Attorney Swartwood presented to the Selectmen:

(1) Affidavit of Notice, with receipts, as to notification to abutters, re adjourned meeting, and (2) Brief in Support of Application with description of premises, description of project, authority in support of application. This document explains in detail proposed use, signs, parking, screening, sidewalks, drainage, access and egress and subsurface sanitary sewerage disposal system. Attorney Swartwood gave a brief presentation explaining that his client would like to construct a 2½ story office building, (not to exceed 35 feet in height consisting of a total of 71,632 sq. feet.) The entire parcel is 4.5 acres and is zoned for business. Parking for 305 vehicles will be within the business-zoned portion of the premises and the remaining parking of approximately 220 spaces will be within 200 feet of the business-zoned portion of the parcel in the Residential-zoned portion of the premises. (A.J. Lane also owns another 3.5 acres, residentially zoned, abutting the business-zoned portion of his property.)

In Attorney Swartwood's opinion, re using residentially-zoned land for the parking spaces, he quoted Zoning By-Law Section V(C)(1):

"Every parking facility shall be provided on the same lot as the use which it is to serve, except that a facility for a non-residential use may be provided on another lot in common ownership with, and within 200 feet of, the lot on which the use is located."

Attorney Swartwood presented evidence to support his opinion, Zoning By-Laws (excerpts) from West Boylston and Worcester. Mr. Swartwood believes that the parking can, under the language in the Zoning By-Law of the Town of Southborough, be extended for 200 feet from the zone line on the submitted site plan. Re: Screening - a substantial amount of planting is planned and they will place it down Parkerville Road if the residents wish. Chairman McDaniel stated that regarding the parking situation, the Town interprets the Zoning By-Law differently and said that the parking plan as presented is not allowable, that more evidence must be produced to document its being allowed. Attorney Swartwood said it is a simple matter to settle the parking lot matter. Under Chapter 231A of the General Laws, you can file a complaint before the territorial judge of the Superior Court. He will give his interpretation of the Zoning By-Law. Many residents of the area presented their concerns such as what kind of screening is planned, traffic flow, increase of traffic, lighting, State curb cuts, etc. Mr. Cox stated if the parking lot was reduced, then the building would have to be reduced also, perhaps by a third. January 5 letter from the Board of Health said no plans for a septic system had been submitted to them. Water Department's January 6 letter stated that the plan did not show any means of water supply.

Mr. Swartwood said two signs were planned: one at the entrance of the parcel - 30 square feet in size, and one on the building itself. They estimate about 275 employees. Re: Drainage - surface drainage from the building and parking area will be diverted to a culvert which runs from Parkerville Road on the west to the MDC property on the east. Plans have been presented to the MDC's Engineering Department. They have registered no

complaint or objection but reserve the right to examine the final engineering plans for this discharge. A subsurface sanitary sewerage disposal system will be constructed in the southwesterly corner of the property. Planning Board member Jim Denman stated the Board has no objection to the Plan, just objection to the placement of a portion of the parking lot in a residential zone. IDC stated it had no objections. Mr. Cox, in answer to the water supply question, stated there is currently an eight inch ductile water main there that they will tie into. Attorney Swartwood said the curb cuts were approved by the State.

The lighting by poles will remain as shown on the plan. It is the minimum number as the residents had expressed in other meetings their concern about too much lighting. Poles will not exceed ten feet in height. Abutter Fred Douglas asked if glare shields could be placed on light bulbs near residences. This was agreed to by Mr. Swartwood.

Building Inspector Phaneuf, in answer to a question as to what point does the 35 height limit start from, stated "from the finished first floor." Residents also expressed concerns, re an increase in town services and the traffic impact on children who walk down Parkerville Road to the Neary School. The suggestion was made that perhaps part of Parkerville Road could be made one way during certain hours of the day. Mr. Cox estimated the value of the building would be approximately \$3 million and bring in about \$75,000 in taxes. Mr. Swartwood stated that if the plan was not approved due to the extension of the parking lot into the residential zone, he would take it to court. If he lost the case, then his client would put up a smaller building. Mr. Swartwood again stated that approval must be received by the MDC and that his client understands that Zoning By-Law Permit and Building Permits must be obtained, through the usual channels, before the building can be constructed.

Town Counsel Frederick Busconi stated before he can give his opinion he must examine all the evidence presented to him at this hearing. He stated that he will give his opinion to the Selectmen before next Tuesday night. The Board would like a topographical map presented to them. Selectman Bartolini made a motion, seconded by Chairman McDaniel and unanimously voted: to take this site plan hearing under advisement and make a final decision next Tuesday night, January 13, 1981 at 9 p.m.

The Board granted a Zoning By-Law Permit to James Murphy, Jr., Trustee of Flagg Realty Trust, to build a single family residence on Lot 17, 12 Hickory Road.

The Grounds Maintenance Contract was briefly discussed by the Board. Selectman Bartolini made a motion, seconded by Chairman McDaniel, and unanimously voted: to continue the Town's Grounds Maintenance Contract with Landscape Designing Company, Doug Curtiss, Owner, 252 Parkerville Road, Southborough. No performance bond is to be required. This contract is to expire June 30, 1983.

MENTAL HEALTH CLINIC

Board noted December 20, 1980 letter from Barbara A. Smith, Executive Director, Marlborough-Westborough Community Mental Health Clinic. The Director is requesting information about the submission of budget requests of the Board of Health on behalf of the Mental Health Association, Marlborough-Westborough Area, Inc. for the provision of outpatient mental health services to the adults and children of Southborough.

BUREAU OF ACCOUNTS

Board noted December 19, 1980 letter from Robert M. Crosby, Acting Director of Accounts, Government Center, Boston, MA 02204 requesting confirmation from the Board as to whether or not a fiscal 1981 audit is desired; written confirmation of the Board's intention would be appreciated.

ACTION: Letter was sent again by Town Accountant Elaine Hinckley on December 18, 1980.

FEDERAL INSURANCE PROGRAM

Board noted December 17, 1980 Certified Letter from Gloria M. Jimenez, Federal Insurance Administrator, Federal Emergency Management Agency, Washington, D.C. 20472 notifying the Town of the proposed base flood elevations which will be the basis for the flood plain management measures that the community must either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program. Public Notification - Worcester Telegram December 23, 1980 and December 30, 1980; 90 day Appeal following the second publication of proposed base flood elevations.

ACTION: Administrative Assistant Jeffrey Grossman will issue a press release.

STATE LEGISLATURE

Board noted December 17, 1980 Memorandum from Representative William G. Robinson, re the M.B.T.A. spending cap. On December 8, 1980, Representative Robinson filed legislation intended to place a firm spending cap on the M.B.T.A. The bill would require that any override of the M.B.T.A. budget over the prescribed 4% cap be approved not only by a two-thirds vote of the Advisory Board, but also by a two-thirds roll call vote in the House and Senate. Representative Robinson requested that the Board ask its State Representative and Senator to sign this bill and, secondly, to lend its name to this measure; by letter of authorization. ACTION: Letter will be sent in support of this bill.

CETA

Board noted December 22, 1980 letter from Marlboro CETA, re public service employment hiring enrollments (Titles II-D and VI-A) which have been frozen effective December 19, 1980. The Town's request, which is on file, has been placed on hold status for the foreseeable future.

SOUTH MIDDLESEX OPPORTUNITY COUNCIL

Board noted December 31, 1980 letter from Paul Houlihan, Executive Director, SMOC, 36 Concord Street, Framingham, MA 01701 enclosing a copy of the final statistical report on the Emergency Crisis Assistance Program (Fuel Assistance) operated by SMOC during 1979-1980. SMOC has finally received initial funding to operate the 1980-1981 Energy Assistance Program; serving 6,000 households and with a distribution of approximately \$3 million to area energy vendors.

LEGAL

Town Counsel's Opinions:

Worcester County Retirement System Budget Increases; that Section 20A of Chapter 59 of the General Laws limits governmental entities, such as Worcester County, to increases of 4% over the costs of the preceding year.

Unemployment Compensation Costs; the School Committee should include its projected unemployment costs in its projected budget.

ACTION: Letter to go to Worcester County Retirement System informing them of Town Counsel Frederick Busconi's opinion.

TOWN BOARDS

Board noted December 31, 1980 letter from Board of Water Commissioners re its December 9, 1980 VOTE not to participate in the purchase order system at this time; reaffirmed at December 30, 1980 meeting.

LICENSES/PERMITS

Board noted December 29, 1980 letter from Beryl V. McPhail, Executive Director, Outdoor Advertising Division, 80 Boylston Street, Boston, MA 02116 enclosing a proposed Directional Sign Regulation. The Division would appreciate comments by January 31, 1981. No action was taken on this matter.

SOUTHBOROUGH CULTURAL ARTS COUNCIL

Board noted letter received December 31, 1980 from Daniel C. Corrigan, Executive Director, The Artists Foundation, 100 Boylston Street, Boston, MA 02116. The Artists Foundation has received a grant from the U. S. Department of Labor to assist communities in the successful development of a local Arts Lottery program. (Positions to be staffed by CETA Public Service Employment.) It is hoped that support will be given the local Arts Lottery Council in the effort to secure a CETA position and launch a successful local Arts Lottery program. A job description for the Community Arts Coordinator position was enclosed. No action was taken on this matter. cc: Edith Myerson, Chairman of the Arts Council.

Selectmen signed Treasury Warrants as follows:

T.W. # 13	in the amount of \$	566.84	CETA - Title IV YCCIP
T.W. # 14	in the amount of \$	266.99	CETA - Title IV YCCIP
T.W. # 27	in the amount of \$	72.83	REVENUE SHARING
T.W. #120	in the amount of \$	19,216.35	
T.W. #121	in the amount of \$	6,399.46	
T.W. #122	in the amount of \$	507,000.00	
T.W. #123	in the amount of \$	13,110.81	
T.W. #124	in the amount of \$	147,629.67	
T.W. #125	in the amount of \$	22,686.57	
T.W. #126	in the amount of \$	27,231.82	
T.W. #127	in the amount of \$	1,180,000.00	
T.W. #128	in the amount of \$	95.00	
T.W. #129	in the amount of	7,444.00	
T.W. #130	in the amount of \$	7,772.00	

11:10 p.m. VOTED to adjourn the meeting.

Marjorie R. Putnam
.....
Marjorie R. Putnam, Secretary

mrp/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

January 13, 1981

- 7:30 p.m. Meeting convened in the Hearing Room.
Present: Chairman Donna McDaniel, Selectman Louis Bartolini, Administrative Assistant Jeffrey Grossman, and Secretary Marjorie Putnam. (Sel. Thomas McAuliffe was on vacation).
- 7:35 p.m. Public Hearing on application of Jerry L. Freeman for Package Store/Wine & Malt Beverages License d/b/a
- 8:26 p.m. The Family Store, 155 Boston Road. Chairman McDaniel read aloud the Legal Ad as it appeared in the Worcester Telegram of December 31, 1980. Chairman McDaniel also noted Purchase and Sale Agreement, Birth Certificate of Jerry Lynn Freeman, Board of Health letter (dated January 5, 1981) and floor plan drawing of proposed facility. Mr. Freeman stated he would like to open a store similar to a 711 Store. He has no franchise. He would own the store. His proposed hours would be: 6 a.m. to 11 p.m. He hopes to open on March 1. Several abutters were present. The Kallanders of Meadow Lane are not in favor of a Beer and Wine Package Store License at that location. They were under the impression that the Site Plan only allowed office space due to the bad traffic problem that road has. All of the abutters expressed concern about the traffic problem becoming worse if this business goes in at this location. Police Chief Goyette stated that this type of business would create a traffic hazard. Mr. Freeman said he would hire a police officer if needed at peak times. Chairman McDaniel expressed a concern as to whether the original site plan was being adhered to by Mr. John Slavin, the owner of this property. The Board would like Mr. Slavin to address this question by coming in person or stating his plans in a letter to the Board. Curb cut approval by the State will be investigated to see what it allowed on this property. Highway Supt. Boland stated the permit would be specific. The Board of Selectmen unanimously voted (motion by Selectman Bartolini) to continue this Hearing on the Package Store/Wine and Malt Beverages License until 9:30 p.m., Tuesday, January 20, 1981.
- 8:29 p.m. Meeting with Board of Health regarding charging fees for users of the Southborough Transfer Station to help defray
- 9:36 p.m. costs of operating this transfer station. Board of Health members present were: Chairman Philip Mauch, Fred Douglas, and Dr. Timothy Stone. Most of the concerns by the Board of Health were that some method should be devised to keep out improper material which fills up the transfer station too quickly, such as wet garbage, grass clippings, leaves, stumps and wood. How can recycling be increased which helps to keep out the items from the transfer station of glass, newspaper, and cans? Suggestions were advertising, or make known to the public, those items which should not be dumped and those items which should be put in the recycling section. Spot monitoring was done by the Transfer Station/Highway Department personnel. Out of town dumping is at a minimum and does not seem to

be a problem. The problem is the disposal of garbage at the transfer station. This is hard to check as plastic bags would have to be opened by someone to check them. According to Mrs. Conlin, Secretary to the Board of Health, the Starrett Company currently picking up garbage in Southborough, is only servicing about 1,000 households. There are approximately 2,000 houses in Southborough which could be serviced. The Board of Health is considering sending flyers to new residents in Town notifying them of garbage pickup and what can and cannot be put in the Transfer Station. Highway Supt. Boland stated that the tonnage has stabilized. The problem is in selecting a site for dumping items such as stumps, leaves, tires, etc. There is no area available now. The Town now pays \$20/ton to have dumpsters hauled out of town. Selectman Bartolini suggested mixing wet garbage with trash and eliminate garbage pickup entirely. Would this be a saving? Chairman McDaniel stated that only 5% of the Town are recycling. Some method should be devised to encourage recycling. Perhaps some civic group could take this as a project. The Board did not set fees for the Transfer Station at this time.

9:37 p.m. Rendering of decision, re Site Plan approval of A. J. Lane, to
9:49 p.m. Trustee of Country Estates Realty Trust (Hearing January 6, 1981) proposing to construct an office building at 225 Turnpike Road (at Middle Road). Chairman McDaniel read aloud Town Counsel Busconi's opinion letter dated January 13, 1981 in which he stated that the Town's Zoning By-Laws do not allow business parking on a residentially-zoned area, even if the residentially-zoned lot is owned in common ownership with and is adjacent to the owners of the business zone. Therefore, the Board of Selectmen unanimously VOTED (motion made by Selectman Bartolini, seconded by Chairman McDaniel) to hold A. J. Lane, Trustee, Site Plan Hearing in abeyance, pending a determination as to whether or not the Town of Southborough's Zoning By-Laws allow business activity in a residential zone. Letter incorporating Board's vote will be sent to Mr. Lane's Attorney, Charles B. Swartwood III with a copy of Town Counsel's January 13, 1981 opinion letter.

Board of Selectmen granted Special Permit (1-day License) to Brothers of the Brush, c/o Bruce P. Berry, Secretary, for a dance at St. Anne's Hall, Boston Road, February 7, 1981 from 8:00 p.m. to 1 a.m.

Selectmen granted an Automatic Amusement Device License to Harpster & Sons, Inc. d/b/a Bullwinkle's Pub, 50 Turnpike Road, Fayville, for a "Video Space Invaders" (Ideal Amusement Company of Framingham), license to expire December 31, 1981.

Board of Selectmen granted another 30-day extension for a temporary office trailer to Joseph J. Cacciatore d/b/a Water Street Corporation, re his construction of houses on Edgewood Road.

Board of Selectmen granted permission to William H. Thorpe for Boy Scout Troop 1 to place two banners, re their Pancake Breakfast to be held on February 8. The Banners will be placed at the intersection of Route 85 and Route 30, on Route 85; and at Route 30 and Framingham Road, on Route 30 just before the causeway.

Board of Selectmen unanimously VOTED (Motion made by Selectman Bartolini and seconded by Chairman McDaniel) to authorize the closing of Bigelow Road for one day only - Saturday, January 17, 1981 from 10 a.m. to 3 p.m., at the request of Harvey D. Bigelow, Sr. for the Annual Handicapped Outing hosted by the Southboro Snowburrows assisted by the Southboro Lions Club. Police and Fire Departments are to be so notified.

Board of Selectmen granted to Russell D. Texeira a Zoning By-Law Permit for a single family residence at 145 Main Street (Lot 1).

STATE AGENCIES

Board noted January 7, 1981 Memorandum from Gregory R. Anrig, Commissioner of Education and L. Joyce Hampers, Commissioner of Revenue, re Proposition 2½ (Chapter 580) and Fiscal Autonomy of School Committees. That provision amends General Laws, Chapter 71, Section 34; giving the municipal legislative body the authority to determine the total appropriation of the public school budget. However, the amendment does not allow the municipal legislative body to limit or transfer specific appropriation items within the school budget. Under Chapter 71 of the General Laws and decisions of the Supreme Judicial Court, the school committee retains its powers and duties to operate and manage the public schools by determining how the appropriated budget is to be spent.

REVENUE SHARING

Board noted January 8, 1981 letter from Jose Pepe Lucero, Director, Office of Revenue Sharing, Washington, D.C. stating that the first of four quarterly general revenue sharing payments has been made for Entitlement Period 12 (EP12). Period 12 began on October 1, 1980 and will end on September 30, 1981.

TOWN DEPARTMENT

Board noted January 10, 1981 letter from C. O. Drayton, Jr., Charles Drayton Company, Inc., P. O. Box CD, Southborough, MA (16 Clifford Road), re personal property tax for equipment valued at \$5,000. Mr. Drayton advised that the above mentioned equipment valued at \$5,000 and so taxed, has been damaged, re the water problem which has been and is still in existence. (Open culvert pipe across Clifford Road and directly in front of his residence.)

MENTAL HEALTH CLINIC

Board noted January 5, 1981 letter from Barbara A. Smith, Executive Director, Marlborough-Westborough Community Mental Health Clinic, re the Association's request of the Town of Southborough the sum of \$14,446 as its share for services to adults and children.


TOWN BOARD

Finding of Fact and Decision - The Board of Health held a public hearing on January 6, 1981 at 8:00 p.m. with regard to a variance from the rules and regulations of the State Environmental Code Title V, Regulation 3.7, item concerning minimum distance requirements for disposal works to drainage. The variance is for property located at 21 Boston Road; owner of record and applicant is Clovis C. Lamy, 270 Broadmeadow Road, Marlborough, MA. The Board of Health VOTED unanimously to GRANT the variance with three conditions.

Selectmen signed Treasury Warrants as follows:

#131	in the amount of \$	96,777.05	
#132	in the amount of \$	21,977.07	
#133	in the amount of \$	61,093.97	
#134	in the amount of \$	37,688.53	
# 15	in the amount of \$	536.68	CETA Title IV YCCIP
# 28	in the amount of \$	130,299.99	Revenue Sharing
# 29	in the amount of \$	81.05	Revenue Sharing

10:12 p.m. VOTED to adjourn the meeting.


.....
Marjorie R. Putnam, Secretary

mrp/dp

MINUTES OF SPECIAL MEETING
BOARD OF SELECTMEN

Thursday, January 15, 1981

Present: Chairman Donna L. McDaniel, Selectman Louis J. Bartolini, St. Mark's Headmaster Mark Barlow, Jr., Trustees Robert C. Dumont, Charles B. Swartwood III, and George Kidder. Also attending: a Middlesex News reporter.

7:45 p.m. Meeting with the Trustees of St. Mark's School.
to Chairman McDaniel opened the meeting by noting that, because
8:30 p.m. of increasing financial pressures on the town, the Board wishes to discuss the school's contribution to the town.
Given the new restraints and the exactitude of fiscal planning needed under Proposition 2 1/2, it would be very helpful to the town to have a more formal arrangement with the school in the form of an agreement in lieu of tax payments. The school has generally, but not always, made an annual contribution as a "donation". Many communities with large tax-exempt properties are now entering into this in lieu of tax agreements, Mrs. McDaniel noted.

Selectman Bartolini said he was not seeking a formal agreement, but wanted to discuss the contribution which would seem fair to both parties.

Headmaster Barlow noted that the school is pursuing the town's request for a donation toward the new ladder truck, but was a little surprised to hear that his assumption that the school is considered a, if not the, prime potential user of the truck is not true, since it indeed serves many other important purposes.

Mr. Kidder and Mr. Barlow asked for an overview of what Proposition 2 1/2 means for the town. Chairman McDaniel explained the general concept and noted that budgets are being trimmed severely, in most cases, this year and that next year, should the law remain the same, the problems will be even greater.

Mr. Kidder mentioned that overall planning for the school's future will at some point mean a consolidation of properties, both through sale of un-needed properties and possibly in bringing the girls' section to the main campus, sale of the Sears Road campus; returning those parcels presumably to the tax rolls.

There was some discussion of the fact that St. Mark's does offer its facilities to various town uses, although these are not always widely known. Chairman McDaniel, with agreement from Mr. Dumont, suggested it could be worthwhile to develop a better sense of the economic value of these services to the town, such as the use of soccer fields which saves the town the large purchase and maintenance expenses.

In conclusion, Chairman McDaniel suggested Mr. Barlow contact Mr. Grossman, the Board's Administrative Assistant, concerning developing

the value of town services to St. Mark's, as well as St. Mark's services to the town. Mr. Barlow and the trustees said they would give the town's request for an increased contribution positive consideration and keep the Board informed.

8:30 p.m. Meeting was adjourned.


Donna L. McDaniel, Chairman

d1m/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

January 20, 1981

- 7:30 p.m. Meeting convened in the Hearing Room.
Present: Chairman Donna McDaniel, Selectman Louis J. Bartolini, Selectman Thomas McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, members of the press.
- 7:30 p.m. Chairman McDaniel stated that bids had been opened on January 12, 1981 for the printing of the 1980 Town Report and Advisory Committee Warrant and Recommendations Book. After reading the Summary of Bids, the Board of Selectmen, upon a motion made by Selectman Bartolini, seconded by Selectman McAuliffe, unanimously, by voice vote, VOTED to award to The Rene Press, Inc., 245 Crawford Street, Fitchburg, MA 01420, the contract for Camera Ready Copy for 2,200 copies of the Town Report at \$26 per page and \$16.75 per page for 2,100 copies of the Advisory Committee Report, as per bid dated January 7, 1981.
- 7:35 p.m. Board met with Wesley Wallace, Right-of-Way Agent to
7:43 p.m. for the New England Telephone Company, re NET petition to lay and maintain underground conduits and manholes, etc. under Cordaville Road, as follows:

At a point which is approximately 40 feet southerly of the east bound lane of the Mass. Turnpike and 10 feet westerly off the traveled way (Cordaville Road) one control vault with cable;
(NET Plan #226398 12/2/80); and

from existing P99, which is approximately 168 feet southerly of the Mass. Turnpike East Bound Lane, place northerly on and along the westerly side of the traveled way off the pavement's edge to property owned by the Mass. Turnpike Authority for approximately 90 feet of conduit (NET226398 12/23/80).

Mr. Wallace explained that this is an environmental control box and vault and 90 feet of conduit is needed for it. The work will be done under the supervision of our Highway Superintendent John Boland. This will aid in increasing the service and add multiple lines in the area. The only abutter present was Mr. Grace's daughter representing Mr. Grace. All her concerns were answered by Mr. Wallace's statement of where the line was going to be placed and she had no objection. The Board unanimously VOTED (by voice vote) to grant this petition (Motion by Selectman McAuliffe, seconded by Selectman Bartolini).

Selectmen signed Zoning By-Law Permit for Borough Corporation (V. Sarkisian), re single family dwelling on Lot #27, House Number 8 Ledge Hill Road.

8:00 p.m. Dog Complaint Hearing. A hearing was held on complaint to of Walter P. Barlow, 46 West Street, West Medway, MA
8:46 p.m. via letter to Selectmen dated December 16, 1980, against two dogs - one owned by the Blanchard family, 25 Parkerville Road, and a dog owned by the Manning family, 27 Parkerville Road. Present were: James Blanchard (owner of the dog) and his family, Dog Officer Charles F. Hamel and the complainant Walter P. Barlow. Chairman McDaniel swore in Mr. Hamel and Mr. James Blanchard. Mr. Barlow did not swear in as he stated the Board has his duly signed letter of complaint as evidence. No one appeared from the Manning family as the certified letter was not able to be delivered to them by the Post Office (the Mannings work during the day) and therefore, the letter was returned to the Selectmen's office undelivered. Dog Officer Hamel stated that upon learning that the certified letter had not been delivered to the Mannings, he telephoned the family after 5 p.m. They said they could not attend this Dog Hearing. The complainant, Mr. Barlow, stated the facts to the Board as written in his December 16 letter. Mr. Barlow wants action taken by the Board. He just wants to be able to walk along Parkerville Road in peace and unharassed. He will abide by the Board's decision. Chairman McDaniel read aloud Dog Officer Hamel's January 2, 1981 Report in its entirety. Mr. Blanchard stated that his dog is ten months old and does run with the Manning dog. He does not feel his dog is vicious. "The dog is going to obedience school tomorrow." Blanchard said his dog is now chained in the front yard. Mr. Blanchard has seen Mr. Barlow wave his stick at the dog. Mr. Barlow stated that the Manning dog in the past runs off when he sees Mr. Barlow shaking a stick at him. However, the Blanchard dog stands his ground and is not intimidated by anything.

Mr. Hamel testified that he has seen the Blanchard dog loose and uncontrolled and the dog attempted to bite Mr. Hamel. Mr. Hamel feels the dog is dangerous as it attacks from the rear and should be destroyed. He feels that a good school can teach the owner, or keeper, to train the dog, but the dog will only do what it is told to do. If it is turned loose, it will run. This dog of Blanchards was ticketed before Mr. Barlow's experience. Blanchard said his dog is a one-man dog but that his father will be taking it through training school and can handle it. The school lessons are once every week for three months. Mr. Blanchard said his dog gets angry when people enter his property. Dog Officer Hamel stated that you are harboring a vicious dog when the dog goes after you upon entering the property.

As a result of the evidence presented, the Board of Selectmen unanimously VOTED (Motion by Selectman McAuliffe, seconded by Selectman Bartolini) the following:

Re: BLANCHARD DOG:

1. That the Blanchard family enroll and have its dog successfully complete training in a duly recognized obedience school and notify the Town of Southborough's Dog Officer of the same.
2. That the Blanchard family comply with the By-Laws of the Town of Southborough.
3. That the Blanchard family restrain or keep under voice control its dog. If a further complaint is received by this Board, the Blanchard dog will be ordered out of town or destroyed.

Re: MANNING DOG:

1. That the Manning family comply with the By-Laws of the Town of Southborough.
2. That the Manning family must keep its dog restrained or under voice control at all times.
3. If further complaints arise regarding the Manning dog, the Board of Selectmen will take appropriate action at that time.

9:00 p.m. Board met with representative of the EMT's (Emergency to Medical Technicians) Brian Mauro. This meeting was

10:06 p.m. requested by the EMTs due to the fact that as of January 19, 1981 a \$90 plus \$4/mile fee will be charged for all ambulance calls. Fire Chief Brock was present.

Mr. Mauro presented to the Selectmen a list of 11 concerns of the EMTs. The Selectmen could not see why volunteers would be affected by the fee charge. The EMTs were covered by insurance as volunteers. The Selectmen could see no reason why this would change. All the concerns were discussed at length. The EMTs would like a letter answering the liability concern. The Selectmen stated they would not refuse service to anyone. If someone is not covered by insurance and/or cannot pay, the Town has funds to cover such cases. The Selectmen explained that monies received from the fees will go into the General Fund to offset appropriations to be raised through taxation, but will be shown as income on the Fire Department Budget. The fees are utilized to defray the costs of transporting persons by ambulance. If the fee proves to be too high, it will be adjusted.

9:30 p.m. At this time the Board moved with Mr. Freeman's permission to reconvene the Package Store/Wine & Malt Beverage License Hearing (reconvened from January 13, 1981) to later this evening to enable the EMTs to conclude their meeting.
VOTED: unanimously.

10:07 p.m. Reconvened Hearing (from January 13, 1981) on
to application of Jerry Freeman d/b/a The Family Store
10:36 p.m. for a Package Store/Wine and Malt Beverage License for
155 Boston Road. The Board stated that Mr. John Slavin
(owner of the property at 155 Boston Road) had been contacted and in
his letter of January 19 advised that he is not deterring from the
original plan of dry goods and office space at this location.
Abutters again expressed their concerns regarding the increase in
traffic and the need for another liquor establishment. It was
brought out that the curb cut approved by the State will remain
the same. The State feels that it chose the best possible location
for the entrance/exit access at that site. Mr. Freeman stated he would
not open a convenience store without a liquor license. Board
unanimously (motion made by Selectman McAuliffe, seconded by
Selectman Bartolini) VOTED: Under the provisions of Chapter 138 of
the General Laws, to DENY this application for the following reasons:
 (1) that there exists an adequate concentration of liquor
 establishments within this geographical district; and
 (2) the Licensing Authority is of the opinion that an additional
 license establishment will not serve the public's interest.
The ABCC is to be so notified. Mr. Freeman was told he had the right
to appeal to the ABCC.

Board unanimously VOTED (motion by Selectman McAuliffe, seconded by
Selectman Bartolini) to grant permission to the Cadette Girl Scouts
of Southborough to sell coffee at the Town Meetings this Spring.

Board unanimously VOTED (motion by Selectman McAuliffe, seconded by
Selectman Bartolini) to grant a Temporary Office Trailer Permit to
Michael Gulbankian at 40 Mt. Vickery Road which must be renewed every
thirty days. Mr. Gulbankian requires this trailer until springtime.

Upon letter of recommendation of Police Chief Robert A. Goyette,
the Board unanimously VOTED (motion made by Selectman McAuliffe,
seconded by Selectman Bartolini) to appoint Craig A. Moran, 70 East
Main Street, Hopkinton, MA 01748, as a Reserve Police Officer in
the Southborough Police Department, his term to expire in May 1981.

Board announced it will close the Warrant in two weeks.

Board explained why it is seeking to fill a police officer position
at this time. Unofficially, a police officer will be resigning
shortly. When this resignation is received, the Board would like to
fill this vacancy without waiting in order to save on overtime costs
that would arise.

Chairman McDaniel expressed her concern at the water rates increase.
She asked if Administrative Assistant Grossman would investigate
whether or not a public hearing was required to be held on this matter.

STATE LEGISLATURE

Board noted January 7, 1981 letter from Robert B. Walsh, Board of Selectmen and Donald R. Marquis, Town Manager, Arlington, MA 02174 stating that Representative Gerald Cohen has filed a bill calling for state level spending for the next fiscal year. The Board's help and cooperation is requested for the support of Representative Cohen's bill at the time of the hearing. ACTION: Write letter to our legislators in favor of the proposed legislation.

Board noted January 13, 1981 letter from State Representative Joseph M. Navin, State House, Boston, MA replying to Chairman McDaniel's inquiry requesting a March 1 deadline for cherry sheets to be in the hands of cities and towns. Representative Navin stated that unless the legislature acts as a rubber stamp to the Governor's Budget, the March first deadline at the present time is impossible. (By the time backup information is received and hearing dates set, it is the last part of February. From there floor debates in both the House and Senate commence.)

Board noted January 14, 1981 letter from Joseph M. Navin, State Representative stating that he is in full agreement with Administrative Assistant Jeffrey A. Grossman's position, replacing a firm spending cap on the M.B.T.A. and will fully endorse and support any legislation that will help to bring it back into line.

STATE AGENCY

Board noted January 12, 1981 Memo from Michael Tager, Program Manager, Executive Office of Energy Resources, Boston, MA, the Institutional Conservation Program Update (formerly "Schools and Hospitals Program"). The program provides 50% matching grants for technical analyses (TAs) and energy conservation measures (ECMs) in public and private non-profit schools and hospitals; some funding is also available for TAs in local government buildings and public care institutions. Grant applications for Cycle III must be received by MEOER by 5:00 p.m. on March 16, 1981.

TOWN BOARDS

Board noted January 14, 1981 letter from Board of Water Commissioners advising that the Board of Water Commissioners will absorb the cost of fuel at the "old" Fire Station (5 Main Street) after the expenditure of \$1,000.

Board noted January 19, 1981 letter from Board of Water Commissioners stating that the Board voted unanimously January 13, 1981 to reconsider the adoption of the Purchase Order System.

TOWN DEPARTMENT

Board noted January 15, 1981 letter to Town Clerk Paul J. Berry from Michael J. Shor, Director of Marketing, Family Health Plan of Massachusetts, Inc., re Family Health Plan (formerly Regional HMO, Inc.). This concern would appreciate an indication of intent to offer the Plan as a federally qualified HMO to town employees. A sample "letter of intent" was enclosed; not to be represented as a legal or final commitment.

TOWN ORGANIZATIONS

Board noted January 12, 1981 letter from Southboro VFW Post 3276, Pete DePina, Post Commander, re the Spring week-end carnival for the benefit of the VFW, Southboro Youth Football, CMYAA, and Hand Tub #1. The VFW Post would like to discuss its plans with the Board at its earliest convenience; in order not to select a date which would interfere with any other town function or the Rotary Club's Annual Pancake Festival. ACTION: Len Gorman was present at the January 20 meeting. He will check into possible dates and contact Mr. Grossman, Administrative Assistant, at a later date.

EAGLE COURT OF HONOR: The Board is cordially invited to attend the Formal Court of Honor highlighted by the Eagle Court of Honor for James J. Tessmer, Troop 1, Friday, January 30, 1981 at Pilgrim Church Hall. ACTION: Letter to go to Edward R. Allen, 12 Pinecone Lane, re the Board's acceptance of invitation.

LICENSES/PERMITS

Board noted January 21, 1981 Memorandum from Administrative Assistant Jeffrey A. Grossman that a Hearing will be held Wednesday, January 21, 1981 at 11 a.m., State House, Committee on Government Regulations; re Mauro's Market; application for Package Store/All Alcoholic License, House Bill #370.

DEPARTMENT OF REVENUE

Board noted January 6, 1981 letter from L. Joyce Hampers, Commissioner of Revenue, re equalized valuation as of January 1, 1980. In its letter to the Board of Assessors, the Department of Revenue attached lists setting forth the final equalized valuations and the assessment ratios of the 351 cities and towns. The 1980 final equalized valuation for Southborough; \$ 167,700.

Board signed Treasury Warrants:

#135 for \$	21,031.16	
#136 for \$	28,427.41	
#137 for \$	61,905.65	
#138 for \$	150,000.00	
# 30 for \$	101.60	REVENUE SHARING
# 16 for \$	713.12	CETA Title IV YCCIP

11:15 p.m. VOTED to adjourn the meeting.

Marjorie R. Putnam
.....
Marjorie R. Putnam, Secretary

mrp/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

January 27, 1981

7:30 p.m. Present: Chairman Donna McDaniel, Selectman Louis J. Bartolini, Selectman Thomas McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, and members of the press.

7:30 p.m. Site Plan Hearing and Fuel Storage License Hearing on the to application of Exxon Company, U.S.A. proposing to improve
8:10 p.m. gasoline service station at 344 Turnpike Road (near Coslin Drive) (Rt. 9 east), and proposing to store in tanks underground 22,000 gallons of gasoline, 500 gallons of waste oil and 500 gallons of fuel oil. Representing Exxon Company, U.S.A. were Attorney David C. Johnson of Nutter, McClennen & Fish, and E. L. "Gene" Kenny from Exxon's Real Estate Department. Mr. Johnson presented to the Selectmen supporting papers such as proof of notification to abutters of this dual hearing plus registered, Book 4085 Page 263 and Book 5017, Page 105, Zoning Board of Appeals' Decision granting Variances and a Special Permit to Exxon Company, U.S.A., 344 Turnpike Road; plus Zoning Appeal Certification from Town Clerk Paul Berry, re no appeals were filed with his office in the 20 days that had elapsed from the date the certificate was issued. Attorney Johnson made a brief presentation explaining what Exxon plans to do to modernize this station. State Fire Marshall has approved the plans, re gasoline storage. It will be a split-island service station (self-service and full-service). The only signs they want is the "Happy Motoring" sign and "Exxon" sign. All other signs will be removed. The sign "Self-Serve" and "Full-Serve" will be on the west end of the building to be seen by eastbound traffic. They plan to cut back the existing parking lot. Drainage was discussed as well as lighting plans. Selectman Bartolini expressed concerns as to proposed pipe size for run-off water. He would like a plan to show 20 year storm calculation runoff to find out if proposed drain pipe will take that much water. He also expressed concern as to the proposed lighting and the candlepower. Mr. Kenny stated that Exxon had just completed a similar station in Natick. Selectman Bartolini said he would like to see this station before voting on the Site Plan as presented. Therefore, motion was made by Selectman McAuliffe, seconded by Selectman Bartolini and unanimously (by voice vote) VOTED: that the Site Plan submitted by Exxon Company, U.S.A. on January 27, 1981 be approved subject to the Board of Selectmen receiving a revised Site Plan incorporating concerns as stated by Selectman Bartolini.

Selectman McAuliffe then made another motion, seconded by Selectman Bartolini, and unanimously VOTED (by voice vote) to GRANT to Exxon Company U.S.A. a License to store in tanks underground 22,000 gallons of gasoline, 500 gallons of waste oil and 500 gallons of fuel oil on the premises located at 344 Turnpike Road (nearest cross street: Coslin Drive). This license supersedes all previous licenses issued.

8:10 p.m. At this time Police Officer Danny Chernewski explained
to the Board why the Police Association was not able
8:14 p.m. to keep its scheduled appointment with the Board tonight.
This meeting was to deal with the Police Department's
FY 1982 budget having been cut due to Proposition 2 1/2.
The Association was not ready with the prepared statement and would
like to meet next week with the Board. The Association had discussed
this matter with Chief Goyette, but still felt the need to discuss
the FY'82 budget cuts with the Selectmen. Selectmen agreed to
schedule a meeting for February 3, 1981 at 8 p.m. to discuss this
matter with the Police Association.

8:14 p.m. Board of Selectmen unanimously (by voice vote) VOTED:
to award the contract for window panels for the Police
8:18 p.m. Station to The Cheviot Corporation of Needham Heights,
Ma, re its bid of \$14,100.00 dated January 22, 1981.
(Motion made by Selectman Bartolini, seconded by
Selectman McAuliffe) These bids were opened at 9:30 a.m. on January
22, 1981.

Selectmen discussed Lawrence Susskind's letter of January 22 in which
he requested the Board of Selectmen to institute fees for the
utilization of the Transfer Station. The Board would like a letter
to go to Mr. Susskind that the Board at present has decided not to
institute such fees for two reasons: (1) To impose an equitable
fee would require exorbitant administrative and monitoring costs
and substantial capital expense for the necessary equipment, and
(2) any fee used should offset the cost of a demand service rather
than a service which requires utilization on a day-to-day basis by
all of the citizens of the Town. The Highway Superintendent believes
that the amount of refuse being deposited at the Transfer Station by
nonresidents is inconsiderable. The contract for hauling refuse
from the Transfer Station will always be awarded to the lowest bidder
possible. Selectman McDaniel stated that if stickers were issued
to insure use by only citizens of Southborough, then these would be
issued without cost.

Selectmen discussed status of October 10, 1980 Street Light Report by
Police Officer Keller. Administrative Assistant Grossman stated he was
awaiting the pole numbers to be submitted to the Selectmen's office.
Then, the Selectmen can then investigate this list more realistically,
perhaps asking the people in the area regarding the light in question,
asking if the removal of the light would be agreeable, that the light
was needed for another location.

The dog case of Barlow vs. the Blanchard Family dog, 25 Parkerville
Road, was discussed due to the fact that since the dog hearing held
on January 20, 1981, another incident has occurred. On January
25, Mrs. Robert Hutt's son Matthew was bitten on the leg by the
Blanchard dog. Matthew was across the street from the Blanchard
residence at the time of the incident. Therefore, a letter was

delivered by the Police Department to the Blanchard Family stating that as a result of the Barlow complaint and the conditions set forth in the Hearing on January 20, 1981, that in accordance with Section 157 of Chapter 140 of the General Laws, the Board of Selectmen hereby orders the destruction of the Blanchard dog. The Board of Selectmen unanimously made contents of the January 27, 1981 letter to the Blanchard Family ordering the destruction of the Blanchard dog a formal vote. Motion was made by Selectman Bartolini, seconded by Selectman McAuliffe.

Possible Warrant Articles for ATM 1981 were discussed. It was decided by the Planning Board and the Board of Selectmen that an Article was not needed to rezone the old Fire Station at 5 Main Street as it is in a Business Zone District. There is no such District as a municipal zone district. The Selectmen would like Town Counsel's opinion, re the need to zone the old fire station so it can be sold. The Selectmen would like to have the boroughs of the Town of Southborough more clearly defined in the Town By-Law which pertains to the selection of Advisory Committee members. This would have to be accepted via a Warrant Article. The Town Moderator wants an Article changing the By-law to choose future members of the Advisory Committee from Precinct I and II instead of by boroughs.

The Selectmen would like an opinion from the Town Counsel whether or not the School Committee has the ability to hire its own legal counsel in conjunction with Massachusetts General Laws and/or the By-Laws of the Town of Southborough. Under what circumstances, if any, is the School allowed to engage its own legal counsel.

STATE LEGISLATURE

Board noted January 20, 1981 letter from Senate Majority Leader Daniel J. Foley requesting the Board's support of Representative Robinson's bill. Chapter 581 of the Acts of 1980 imposed a 4% cap on the M.B.T.A.'s budget. Chapter 581 further requires that the cap can be overridden by a two-thirds vote of the Advisory Board. Rep. Robinson's bill would amend this by requiring a further override requirement of a two-thirds roll call vote in the House and Senate. Senator Foley offered three reasons why he does not believe that this bill is necessary at this time.

PROPOSITION 2 1/2

Regional School Districts - Board noted January 19, 1981 letter from L. Joyce Hampers, Commissioner of Revenue and Gregory R. Anrig, Commissioner of Education, re Proposition 2½ (Chapter 580) and Regional School Districts. At issue is whether regional school districts are among the districts covered by Section 12 of Chapter 580, which imposes assessment limitations upon certain governmental entities.


PROPOSITION 2 1/2 (cont.)

After studying Section 12 of Chapter 580 (contained in letter), the Departments of Revenue and Education conclude that Section 12 does not apply to regional school districts.

Selectmen signed Treasury Warrants as follows:

#139	in the amount of \$	95,924.44	
#140	in the amount of \$	400,000.00	
#141	in the amount of \$	7,096.56	
#142	in the amount of \$	96,586.37	
# 17	in the amount of \$	604.10	CETA Title IV YCCIP
# 31	in the amount of \$	101.60	REVENUE SHARING

9:30 p.m. VOTED to adjourn the meeting.


.....
Marjorie R. Putnam, Secretary

mrp/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, February 3, 1981

7:30 p.m. Present: Chairman Donna McDaniel, Selectman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, members of the press.

7:30 p.m. Meeting with Town Moderator Joseph McManus to discuss four to Articles he would like inserted in the Warrant for ATM
8:11 p.m. 1981. Mr. McManus proposes to amend the by-laws changing the appointing authority from himself as Town Moderator, re the following:

1. Re: Personnel Board - to the Board of Selectmen
2. Re: Recreation Commission - to the Board of Selectmen
3. Re: Capital Budget Planning Committee - to Moderator
Board of Selectmen
School Committee
Advisory Committee
Planning Board
4. The last article Mr. McManus proposed was, re the Advisory Committee appointments. Mr. McManus proposes that regarding the nine voters to be appointed that at least four members to the committee shall reside in each of the voting precincts of the town as opposed to the current system of the four boroughs of the Town.

Re: Recreation Appointments. The State Statutes give the appointing choice to the Moderator or the Board of Selectmen. Moderator McManus felt it is not appropriate for him to appoint the Recreation Commission and felt it put him in a compromising position when the budgets come before the Town Meetings.

Regarding the Capital Budget Planning Committee, Moderator McManus believed if more Boards and Committees were involved in the selection of appointees that it would stimulate the appointing of a better cross-section of the townspeople. After a short discussion the Selectmen and Moderator McManus decided to remove the Capital Budget Planning Committee proposed Article from the Warrant for ATM '81. The Selectmen want the by-law to stand as is.

Re: the Recreation Commission appointments. The Board of Selectmen will put this Article in the Warrant for the townspeople to decide.

Re: Appointment of the Personnel Board members. This proposed Article was removed from the proposed Warrant as the Selectmen did not believe it appropriate for the Board of Selectmen to appoint Personnel Board members.

Re: Moderator McManus proposed Article, re Advisory Committee. Mr. McManus stated that he continually has a difficult time finding people to serve on this Committee as he is confined to the four boroughs of the Town. He believes precincts would be

better. The boroughs are not geographically nor clearly defined in the by-laws. He believes his proposed Article would alleviate the problem of filling the positions. It would be better balanced between precincts. The Selectmen informed him that they are proposing an Article to clearly define the boroughs of the town. They felt they would like to keep the by-law intact, just clarify the boundaries. It was decided to put two Articles in the Warrant for the decision of the townspeople.

8:12 p.m. In the presence of Town Clerk Paul Berry, the Board of Selectmen selected five jurors for the March 2 Worcester Superior Court Traverse jury: Silas H. Allen, 50 Sears Road; Thomas J. Dando, 157 Parkerville Road; Robert A. Kimball, 36 Clifford Street; Arthur G. Teneyck, 23 Parkerville Road; and Robert H. Willis, 165 Southville Road.

8:15 p.m. Board met with the Southborough Police Association to regarding the FY '82 Police Department budget cuts,
9:39 p.m. specifically the overtime line item of \$4,000.00.
Spokesman for the Association was Police Officer Charles Keller. Officer Keller read the five concerns of the Association which in essence were: What happens when the overtime amount of \$4,000.00 is depleted, when two men are out sick on the same shift, will they be replaced or will no man be put out on the road? What about court time? If a man has to be at court, no one will be covering the town. If there is only one man on duty and two calls or more come in at the same time, which call will be answered immediately? Who makes that decision or sets the priorities? Re: investigating officer. Can the investigating be continued or does the investigation have to wait until he is on duty again?

It was explained to the Association by the Selectmen that the Town Meeting votes on the bottom line only, that any line item in the salary account can be taken from any other line item if needed. If the \$4,000.00 is depleted, then the Chief plans to use part of the line item delegated for the five part-time dispatchers, possibly allowing \$13,443.20 to be utilized for overtime, if necessary. This budget was worked out with the Police Chief and he believes it is workable and is a reasonable budget. If the Police Department has unforeseen problems such as FY '80 had with multiple barn fires and several men resigning, and the budget looks like it will be completely depleted, then the Selectmen will go to the Advisory Committee for a Transfer from the Reserve Fund. There is no way the town will go unprotected with no man on duty. The safety of the officers and the townspeople will come first. Due to Proposition 2½, the budget had to be cut and the Department will try to live within this budget as best they can. Sometimes there may be only one man on a shift, preferably during the 8 to 4 shift, this possibility is as real during the present fiscal year as F.Y. '82. The Shift Commander should set the priority on calls, if no Shift Commander is on duty, then the man on the shift will have to make the decision as best he can. The Selectmen said, of course,

if an investigation is started at 1/4 hour before the end of the officer's shift, then it should continue if necessary. The line item on the books has to remain at \$4,000.00 as the budget has already gone to the printer. However, the remaining amount of \$9,443.20 can still be used from the salary item set for the part-time dispatchers. The overtime line item is only an estimate, not fixed. It is the prerogative of the Chief to schedule his men to make the best use of the budget such as using Reserves to save on the overtime line item, within the confines of the Police Association contract. The Selectmen reassured the Association that operating costs can be used for salaries, but never can salaries be used for operating costs. The Advisory Committee has approved the budget as presented. Chief Goyette stated "there will come a time with just one man on the road before the year is out." The overtime line item was cut from \$12,000 (FY '81) to \$4,000 (FY '82) as this seemed the only place to cut. \$5,700 has been scheduled for the Reserves. The Chief can be a backup officer if needed for an emergency. The Association brought up the fact that many times a police officer has to drive the ambulance if no one from the Fire Department shows up; then who covers the Town if only one man is on duty?

Board granted a Special License for the sale of wines and malt beverages only, to be drunk on the premises, to Lincoln Square Club c/o Loretta A. Nelson for a country-western dance to be held at St. Anne's Hall, Boston Road, on Saturday, March 7, 1981 from 8:00 p.m. to 12:30 p.m.

Board granted Zoning By-Law Permit to Flagg Realty Trust, James P. Murphy, Trustee, to build a single-family house on Lot 32 (Assessors' Map 13-14A), House Number 7 Blackthorn Drive.

Board voted unanimously to appoint the following Advisory Committee members as Special Municipal Employees (under Chapter 268A, Section 1 & 17 of the General Laws): (1) Robert P. Juliano, 35 Atwood St., term to expire May 1982; (2) Leonard E. Gorman, 14 Mitchell St., term to expire May 1983; and (3) Lucien R. Philippon, 7 Woodland Road, term to expire May 1981.

Re: 344 Turnpike Road, Exxon, U.S.A. Site Plan Hearing. Selectman Bartolini discussed his inspection of a similar gasoline station recently built by Exxon Company, U.S.A. in Natick. He found the lighting much too bright and wants Exxon to cut down the candle power on its proposed lighting or place yellow or pink neon lights to cut down the glare. The Administrative Assistant is to contact Exxon Company regarding the Board's request (re Site Plan presented to the Board at the Hearing of January 27, 1981).

Selectmen requested Administrative Assistant Grossman to write to the Government Regulations Committee, Boston, re the Hearing on House Bill #370 for License request of Mauro's Market for an all-alcoholic package store license. The letter is to explain that this started with a citizens' petition and was discussed at ATM 1980, (Article 46) to authorize the Board of Selectmen to petition the General Court for said license. As no opposition was brought at Town Meeting of 1980, the Board petitioned the General Court for said license. The Town requests the Committee's unanimous vote in support of the passage of this Bill. Copy of this is to go to Representative Joseph Navin.

Selectmen would like Town Counsel Frederick Busconi to draft an Article for the Warrant for ATM '81 to aid the Selectmen in selling the old fire station at 5 Main Street for less than the minimum asking price of \$60,000, mandated by last year's Article, if necessary.

Selectmen requested Administrative Assistant Grossman to ask the Committee to Study Transfer Station and Recycling Center to submit a written report within the next month so that the Selectmen can have ample opportunity to review and make comments on same before the mutual meeting.

LEGAL

Complaint for Declaratory Judgment, Pursuant to C. 231A of the General Laws was received February 2, 1981:

A. J. Lane, Trustee of Country Estates Realty Trust, Plaintiff
VS.
Town of Southborough, Defendant

Re: Section V (C)(1) of the Southborough Zoning By-Law (Parking Issue)
225 Turnpike Road, Site Plan Hearing 1/6 and 1/13 regarding proposed office building.

TOWN DEPARTMENTS

Board noted January 30, 1981 Business Certificate received in the Town Clerk's office: "Antiqua" at 10 Main Street owned by Frances J. Dzierzeski, selling antiques/furniture (used)/collectibles/ and other sundry items.

ACTION: Town Counsel Busconi and Building Inspector Phaneuf to investigate and draft a letter stating a site plan hearing is needed.

Board noted January 27, 1981 letter from Town Clerk Paul J. Berry informing the Selectmen that an inventory of items from the dissolved Historical Celebration Committee, which has been received in the office of the Town Clerk, will be stored in the Town vault.

TOWN COUNSEL'S OPINION

February 3, 1981 Opinion, re Emergency Medical Technicians/Ambulance Fee, Chapter 111C, Section 14:

"No emergency medical technician certified under the provisions of this chapter and no police officer or fire-fighter, who in the performance of his duties and in good faith renders emergency first aid or transportation to an injured person or to a person incapacitated by illness shall be personally in any way liable as a result of rendering such aid or as a result of transporting such person to a hospital or other safe place, nor shall he be liable to a hospital for its expenses if, under emergency conditions, he causes the admission of such person to said hospital. "

The fees set by the Town do not affect the wording of this provision of the General Laws.

ACTION: Copy sent to Fire Chief Edward Brock and E.M.T.s, % Brian Mauro.

DEPARTMENT OF PUBLIC WORKS

Re: Federal Aid Urban System Project Approval.

Board noted January 29, 1981 letter from Dean Amidon, Commissioner, Executive Office of Transportation and Construction, Department of Public Works. The Department's Project Review Committee on December 8, 1980 has voted to APPROVE request for the reconstruction of:

Framingham Road from its intersection with Cross Street thence northwesterly approximately 2,500 feet to Acre Bridge Road and the reconstruction of Boston Road from Meadow Lane thence westerly approximately 3,500 feet to its intersection with Framingham and White Bagley Roads, as a Federal Aid Urban System Project.

In order to implement the project more quickly, a seven (7) part procedure should be followed. Approval is conditioned upon the availability of Federal and State funds at the time the project is ready to be advertised. ACTION: The Town would have to pay the \$50,000 estimated by John Boland, Highway Superintendent for engineering costs. Letter to John Boland asking him to investigate the possibility of obtaining a grant to offset part or all of these engineering costs.

TOWN BOARDS

Board noted January 29, 1981 letter from Board of Health Chairman Philip G. Mauch stating that the Board has adopted a new fee schedule; to become effective February 15, 1981. (In accordance with Mass. G.L. Chapter 11 Section 31)

WORCESTER COUNTY RETIREMENT SYSTEM

Assessment: Against the Town of Southborough

Pension Fund	\$ 155,375.00
Expense Fund	<u>5,308.00</u>
Total Due	\$ 160,683.00

(One-half payable July 1, 1981; remaining half January 1, 1982)

STATE LEGISLATION

Board noted January 29, 1981 letter from Byron J. Matthews, Secretary, Executive Office of Communities and Development, re House 28, an Act providing for a Community Development Action Grant Program. This bill would authorize the sale of \$15 million in state bonds to assist communities in undertaking "community development projects." House 28 provides funds for public improvement to revitalize locally targeted areas. This bill is currently before the Urban Affairs Committee. (Hearing to be held on the bill February 25, 1981, 10:00 a.m., Room 222, State House.) Administrative Assistant Jeffrey Grossman stated "the State has no critieria. It has not been developed yet."

DEPARTMENT OF REVENUE

Re: Worcester County Retirement System Budget Increases - The Board noted January 28, 1981 letter from the Spencer Board of Selectmen and January 29, 1981 letter from the Douglas Board of Selectmen. Both Boards are very interested in the opinion of the Department of Revenue concerning this matter and would appreciate being advised of the outcome. ACTION: Administrative Assistant Grossman stated that the State Department of Revenue will issue guidelines within a short time - perhaps next week.

SOUTHBOROUGH HOUSING AUTHORITY

Re: Appointment of State Member - Henry W. Welch, Jr., 22 Main Street, Southborough has been appointed the State Member of the Southborough Housing Authority for a term which will expire on August 2, 1985; duly sworn-in on Tuesday, January 27, 1981. (Certified by Town Clerk Paul J. Berry).

MDC

Board noted January 28, 1981 letter from Ernest L. Kallander, 18 Meadow Lane, re the future of the Stony Brook Golf Course. The purpose of this letter is to call attention to the inevitable change that will take place with respect to the ownership and operation of Stony Brook Golf Course, Valley Road. Mr. Kallander would like to see the Town own and operate this facility.

ACTION: Selectman Louis Bartolini will call Senator Atkins and Representative Navin. (re M.D.C. not yet giving permission to Ernest Kallander to construct a service building on MDC land.)

Selectmen signed Treasury Warrants as follows:

#143	in the amount of \$	150,000.00	
#144	in the amount of \$	18,090.47	
#145	in the amount of \$	28,175.80	
#146	in the amount of \$	21,362.30	
# 32	in the amount of \$	105.72	REVENUE SHARING
# 18	in the amount of \$	624.30	CETA Title IV YCCIP

10:45 p.m. VOTED: unanimously, to adjourn the meeting.


.....
Marjorie R. Putnam, Secretary

mrp/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

February 10, 1981

- 7:30 p.m. Present: Chairman Donna McDaniel, Selectmen Louis J. Bartolini, Selectman Thomas McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam and members of the press.
- 7:35 p.m. The Board of Assessors (Chairman Charles Johnson, Arthur Holmes, Arthur Sisson) and their Secretary Betty Davis
- 7:43 p.m. met briefly with the Selectmen to discuss a recurring problem with the Town House rear (parking lot) door. In three separate incidents persons have injured themselves by walking into the door. The Assessors would like a temporary sign or marking placed on this door until the Town Seal can be painted on same. Also, the Assessors requested that a barrel with sand and shovel be placed near this door to be used on the walkway in icy weather when the custodian is not around. The Selectmen instructed the Administrative Assistant to see that a temporary sign is placed on the rear Town House door and to ask Highway Superintendent Boland to place a barrel, complete with sand and shovel, at the rear entrance to the Town House.
- 7:43 p.m. Meeting with the School Committee, Board of Assessors and to Advisory Committee to discuss budget considerations. Town
- 9:36 p.m. Counsel Busconi was also present. Chairman of the School Committee, Norman Clement, stated that the Southborough School Committee will be meeting on Wednesday, February 11 to vote on the actual budget cuts on the Southborough budget. They are using the \$172,522,000 base assessment figure. (Northborough will be seeking increased valuation.) The school budget cuts in total will be approximately \$160,452 based on the aforementioned assessment. Specific cuts will be stated at the February 11 School Committee meeting. Chairman of Assessors Charles Johnson stated that it is the unanimous opinion of the Board of Assessors that they are not in favor of a further updating of the Town of Southborough. The Assessors feel they are as close to the fair market value as they can be and feel it is unfair to "hit" the taxpayers again so soon. Buildings don't increase in value at the same rate of speed. Information gathered from 1980 Building Permits indicate that an estimated \$2 million of new valuation could be added on to the \$172 million tax base. The Selectmen explained that the Article in the Town Warrant was placed there as a precautionary measure in case the money is needed (\$4,000 in Article). The Department of Revenue is to make the decision, re the word "shall be" or "may be" in the definition of full and fair cash valuation, regarding a reflection of the changes in the market value of the property in a community. If the Department makes its decision before Town Meeting and it is "may be", then this Article can be withdrawn. The Board of Assessors explained that their January 1, 1981 figure is used when they compute the Fiscal 1982 tax rate. They have to use the January 1, 1980 figure for computation

at the 1981 Annual Town Meeting as this has been certified by the State. Selectman Bartolini said that the Townspeople should be given the choice of whether or not they want to update the valuation this year. Chairman Johnson stated that a new updating would take until Springtime to complete as they have to wait until the computer is available. The Assessors stated the housing market has levelled off. State says that the Cherry Sheet won't be received by towns until September. Setting the tax rate depends on State Aid, so you have to use the same figures as last year's Cherry Sheet. School Committee Chairman Norman Clement is looking for some way not to have to make such severe cuts in their budget and would like to save the releasing of at least two teachers. Selectmen Chairman Donna McDaniel stated the Town has one less Police Officer. It is up to the townspeople to set priorities and cut budgets further. Advisory Committee Chairman Wendy Otavsky stated they had not seen the School budget yet. Town Counsel Busconi stated that January 1, 1981 is the critical date as to what the levy and tax rate will be. Judge Young is to decide how this law will be implemented.

Selectman McAuliffe suggested leaving the cuts for the townspeople and defend the budgets on the Town Meeting floor. Budgets can be cut but not increased at Town Meeting. The Advisory Committee left for a brief caucus. Upon returning to the Hearing Room, Chairman of Advisory Committee Wendy Otavsky stated that the School budget, based on a \$174 million base, will be printed in the Town Warrant Book and let the townspeople decide to cut or not to cut at Town Meeting 1981.

9:37 p.m. The Selectmen met with the School Committee to discuss the
to fact that the Selectmen had to read in the newspapers that
9:44 p.m. the Town and the School Committee were involved in a
suit, that the Committee did not notify the Selectmen of
such a suit and further did not ask permission, according
to the Town By-Laws (Article IV, Section 7) which mandates that
permission must be obtained from the Board of Selectmen before employing
any counsel other than Town Counsel. Chairman of School Committee
Norman Clement stated that this was on its Agenda for School Committee
meeting on November 11, 1980. Mr. Clement stated that permission had
been given before when the School Committee was involved in a case
when Town Counsel William Brewin was unavailable to handle the case.
Selectman Bartolini explained that permission has to be granted on a
case by case basis. The Selectmen need to know when the Town is
being involved in a suit. All that is needed is a telephone call to ask
if the Town Counsel can handle the case.

9:44 p.m. Board met with Robert J. Hamilton, Sr., 31 Highland Street,
to and Lawrence E. Lamson, II, 123 Southville Road, regarding
10:11 p.m. their continuing woodcutting operation on Highland Street
(Lot 2C/Assessors' Map 3) which lot is owned by Lloyd
E. and Elaine L. Clark of 60 Walsh Street, Framingham,
Massachusetts. Selectmen reminded these gentlemen of a meeting with
the Board on December 11, 1979 at which time they agreed to wind
down this operation. On January 26, 1981 a letter was sent to the

owners of this property, Mr. and Mrs. Clark, requiring the extensive woodcutting operating on their residentially-zoned property to CEASE AND DESIST within 21 days of the receipt of said letter. (February 18 deadline for clearance of lot.) Mr. Hamilton stated they did wind down and that the noise has been kept down as per verbal agreement. He expected a letter from former Selectman Paul O'Connell reiterating what had taken place at the December 11, 1979 meeting and it was never received. (A cease and desist order had been delivered by Police Department to Mr. Lamson on December 5, 1979, stating all operations had to stop upon receipt of the December 5, 1979 letter.) Mr. Hamilton found out in his conversation with Administrative Assistant Grossman that instead of a letter, Chairman O'Connell had dictated a memorandum to the file dated March 17, 1980, regarding his conversation with Mr. Clark, the owner of the property, and his telephone conversation with Mr. Hamilton. Mr. Hamilton stated he never agreed to the statements as made in Mr. O'Connell's memorandum. Selectman Bartolini stated that he had recently received a complaint from a neighbor regarding this woodcutting operation, a Mr. Cox at 28 Highland Street. Mr. Hamilton wanted to know under what circumstances could they use this property for wood cutting and storing. Chairman McDaniel again stated that the issue is under the Town's Zoning By-Laws; you cannot run a business on a residentially-zoned piece of property. At this time, Chairman McDaniel read the February 10, 1981 letter from the owners of the property - the Clarks, in which they said they talked to Mr. Lamson and Mr. Hamilton and told them they were expected to remove all wood and related items from this premises by the date stated in the cease and desist order letter (dated January 26, 1981) which would be on February 18. The Clarks do not wish to have this request violated under any circumstances. Town Counsel Busconi stated that the issue is that this is a residential area and you cannot conduct a business on this property. This business of woodcutting should not be there. There is no house on this property. Home occupations are allowed by the owner in residence, such as antiques and real estate, which are within the Town's Zoning By-Law.

Selectman Bartolini suggested that Mr. Hamilton and Mr. Lamson look around for a commercial piece of property for this business. They cannot use this property for this business under the Zoning By-Law. The Selectmen unanimously VOTED to send a letter to Mr. Hamilton and Mr. Lamson requiring them to comply with the CEASE AND DESIST ORDER issued January 26, 1981 pertaining to this wood operation on Highland Street (Lot 2C, Assessors' Map 3). This is to be delivered by the Police Department, copy to go to the owners of the property, Mr. and Mrs. Lloyd Clark of Framingham.

The Board of Selectmen VOTED unanimously to close the Town Warrant for Annual Town Meeting 1981 and duly signed same.

Selectman McAuliffe stated he had received a complaint regarding John Bartolini still leaving construction equipment on a lot on Foley Drive. It has been there for quite some time. A letter will be sent to him calling his attention to this matter, asking him to do everything within his power to resolve this problem as quickly as possible. Chairman McDaniel stated she would draft the letter, that she had talked to Mr. Bartolini regarding this complaint. Mr. Bartolini had told her that he plans to construct another house on Foley Drive and that the equipment would be moved as soon as the ground is ready in the Spring.

Mr. William Linnell of 1 Maplecrest Drive (corner of Framingham Road) asked if the Town could put a guard rail in front of his property on Framingham Road in order to prevent vehicles travelling on Framingham Road from entering his yard. In the past week around 3 a.m. and 4 a.m., two cars drove into his back yard (about an hour apart) and had to be towed out. The Police Department and towing people were very quick in responding to his calls, but he fears for the safety of his family and wants to prevent this from happening again if possible. Selectmen agreed to contact Highway Superintendent John W. Boland and ask him to speak to Mr. Linnell and see what can be done to prevent this from happening again.

STATE LEGISLATURE

Board noted February 4, 1981 letter from State Representative Joseph M. Navin responding to Administrative Assistant Grossman's letter, re the Arlington proposal and the petition of the Massachusetts Municipal Association; measures that deal with the implementation of Proposition 2 1/2. It is Representative Navin's intention to implement 2 1/2 with as much State assistance as possible and will do whatever he can to lessen the drastic effects of 2 1/2.

WORCESTER COUNTY RETIREMENT SYSTEM

Board noted February 5, 1981 letter from Paul E. Constantino, Chairman, Board of Selectmen, Lancaster, re Administrative Assistant Grossman's January 22, 1981 letter as concerns the Department of Revenue's opinion. The Lancaster Board of Selectmen would appreciate a copy of the Department's opinion, re the Worcester County Retirement System Budget increases, whenever available.

TOWN COUNSEL'S OPINION

Re: School Committee - February 14, 1981 Opinion

General Laws Chapter 71, Section 37E and 37F states that the School Committee does have a right to hire its own counsel. Article IV, Section 7 of the By-Laws mandates that any officer, board or commission must obtain the consent of the Board of Selectmen before employing any counsel other than Town Counsel.

Selectmen signed Treasury Warrants as follows:

#147	in the amount of \$	99,289.20	
#148	in the amount of \$	150,000.00	
#149	in the amount of \$	6,029.87	
#150	in the amount of \$	112,120.80	
# 19	in the amount of \$	489.16	CETA Title IV YCCIP
# 33	in the amount of \$	108.88	REVENUE SHARING

10:48 p.m. VOTED to adjourn the meeting.


.....
Marjorie Putnam, Secretary

mrp/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, February 17, 1981

7:30 p.m. Present: Chairman Donna McDaniel, Selectman Louis J. Bartolini, Selectman Thomas McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, and members of the press.

The Selectmen unanimously VOTED: to renew Temporary Field Office Trailer Permit of Joseph J. Cacciatore, Water Street Corporation, for another 30 days, as requested by him in his February 12, 1981 letter. (Motion made by Selectman McAuliffe, seconded by Selectman Bartolini.)

The Selectmen unanimously VOTED: to grant a Special License to Southboro Democratic Town Committee c/o Patricia Boyle Brewin, 5 Newton Street, Southboro, for the sale of wines and malt beverages only, to be drunk on the premises, for a dinner dance at the Reinke Building, Middle Road, on Saturday, February 28, 1981 from the hours of 6:30 p.m. to 12:30 a.m. (Motion made by Selectman McAuliffe, seconded by Selectman Bartolini.)

The Selectmen GRANTED Zoning By-Law Permit to Christopher A. Hamel to construct a single-family house at 222 Boston Road (Lot #16B, Assessors' Map 48).

The Selectmen noted February 12, 1981 memo from Administrative Assistant Grossman, re Hazardous Wastes. As Mr. Grossman is the Hazardous Waste Coordinator, he suggested the establishment of a Community Task Force to deal with hazardous waste issues. Motion was made by Selectman McAuliffe, seconded by Selectman Bartolini and unanimously VOTED: to appoint the following to the ad hoc COMMUNITY HAZARDOUS WASTE TASK FORCE: Chief of Police, Robert A. Goyette
Fire Chief, Edward F. Brock
Highway Superintendent, John W. Boland
Board of Health Representative
(to be designated by the Board of Health)
Community Hazardous Waste Coordinator,
Jeffrey A. Grossman

There was also discussion and agreement that each hazardous waste incident occurring in the Town of Southborough should be followed by a written report detailing events and the consequential actions by the responding department(s).

The Selectmen discussed Memo from Planning Board proposing a fee schedule for reviewing Site Plans, Preliminary Plans, Definitive Plans, etc. They wanted the Selectmen's input. The Selectmen wanted clarification of proposed fees, when proposed hearing is planned for, and asked the Administrative Assistant to get more information.

7:55 p.m. Town Counsel Frederick A. Busconi arrived.

The Selectmen asked that a Press Release be issued, re the old Fire Station Use Study Committee to give its Final Report to the Board of Selectmen on March 10 at 7:30 p.m. in order to give the public a chance for input.

8:00 p.m. Public Hearing on application by Commonwealth Gas Company to for the storage in tanks aboveground of 5,000 gallons of

8:13 p.m. propane and in tanks underground of 20,000 gallons of gasoline and 10,000 gallons of diesel fuel on the premises located at 157 Cordaville Road (nearest cross street: Mt.

Vickery Road). Mr. Richard Fletcher represented Commonwealth Gas. He presented the list of abutters and certified receipts to the Selectmen. Mr. Fletcher gave a brief presentation as to where the tanks would be. This request is to increase their present storage from 15,000 gallons of gasoline to 20,000 gallons and diesel fuel from 5,000 gallons to 10,000 gallons. The amount of propane at 5,000 gallons remains unchanged. Abutters Mr. and Mrs. Albert Phillips of 145 Middle Road were present. After Mr. Fletcher showed on the plan to the Phillips where they were planning to expand the storage (in front of existing pumps), and their question, re the possibility of any blasting affecting their well (no ledge there), they had no objection. Highway Superintendent Boland's letter of February 10 as an abutter, stated the Highway Department had no objection to this installation. Mr. Phillips brought up a matter which had been disturbing him. He noticed a brownish flow from the brook where it leaves the first parking lot (between the two parking lots) of Commonwealth Gas Company property. He was concerned as to what is causing this brownish (color of tea) liquid. The Selectmen asked the Administrative Assistant to investigate this, and if it concerns the MDC to contact them. Selectman McAuliffe then made a Motion, seconded by Selectman Bartolini, and unanimously VOTED: to grant to Commonwealth Gas Company a License as requested: Aboveground in tanks: 5,000 gallons propane
Underground in tanks: 20,000 gallons gasoline
Underground in tanks: 10,000 gallons diesel fuel.

Town Clerk and Fire Chief to be so notified and copy of plans filed with them.

The Selectmen proposed the following dates, if needed, for continuing the Annual Town Meeting of 1981:

A.T. M. 1981 - Monday, April 13, 1981: 7 p.m. (Scheduled ATM)
Proposed ATM dates: Tuesday, April 14, 1981 at 7:30 p.m.
Thursday, April 16, 1981 at 7:30 p.m.

Town Clerk to be so notified.

The Selectmen would like to set up a meeting with the public to discuss all the budgets to be presented to the Annual Town Meeting 1981. This would be with the Advisory Committee also. Perhaps it could be held at the Woodward School. The Administrative Assistant was requested to check with the Advisory Committee and the Southborough Village Society to see if the Village Society would be willing to sponsor such a meeting.

8:30 p.m. Chairman McDaniel explained the purpose for going into Executive Session - to consider the proposals by Michelle Lanza, re Massachusetts Commission Against Discrimination. Ms. Lanza presented to the Selectmen her terms for a possible settlement of her case. The Selectmen plan to give their response tonight.

8:32 p.m. Selectmen's roll call vote was taken to go into Executive Session under the Open Meeting Law - G.L. Chapter 39, Section 23B, subsection (2) as follows:

Selectman Bartolini:	Aye
Selectman McAuliffe:	Aye
Chairman McDaniel:	Aye

Selectman McAuliffe announced that at the end of the Executive Session, the open meeting will resume and a vote will be taken at that time. Three Selectmen, Police Chief Robert A. Goyette, Administrative Assistant Jeffrey Grossman and Town Counsel Frederick Busconi went into Executive Session in Conference Room B.

9:13 p.m. Executive Session ended and all parties returned to the Hearing Room. Selectman Bartolini made a Motion as follows:

"After full consideration of this proposal, we find we are not able to agree to any settlement, because any such acceptance would, by its very nature, suggest that discrimination has been involved in the appointments in question when, in fact, that allegation is not true, and instruct the Town Counsel to notify appropriate authorities."

This Motion was seconded by Selectman McAuliffe and a roll call vote was taken, as follows:

Selectman Bartolini:	In favor of Motion.
Selectman McAuliffe:	In favor of Motion.
Chairman McDaniel:	In favor of Motion.

Town Counsel was questioned by the press as to what the next step would be. His reply was that he assumed a full trial would be forthcoming.

STATE LEGISLATURE

Board noted February 10, 1981 letter from Anthony J. Vigliotti, Register of Deeds, Court House, Worcester, MA, re Senate Bills No. 1477 and No. 1783. Senate Bill 1783 petitions the Legislature to allow for increases in recording fees in Registries of Deeds; to be sent to Senate Judiciary, chaired by Senator Alan Sisitsky. No hearing date has yet been scheduled. Senate Bill 1477 asks that Counties be allowed to retain the excise fees from deeds; to be heard publicly by the Senate Committee on Taxation (chaired by Senator John Olver of Amherst) on Thursday, February 26, Room 235 at 11 a.m. ACTION: Selectman McAuliffe asked where the money goes now; Administrative Assistant Jeffrey Grossman to investigate. The Selectmen request a support letter be written to our legislators, re these two Bills.

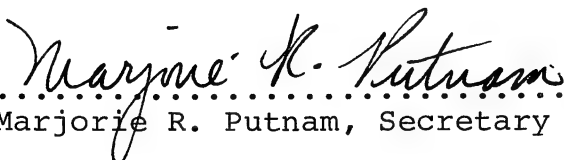
ASSESSMENT

Board noted February 6, 1981 letter from the Board of Selectmen, Spencer, MA 01562, re Worcester County Retirement System Assessment. The Town of Spencer has received its assessment for Fiscal Year '81-'82 in the amount of \$142,569, an increase of \$26,000 over last year's figure. The Town will refuse to pay the additional amount and will allow only a four percent (4%) increase for a total of \$121,232.

Selectmen signed Treasury Warrants as follows:

#151	in the amount of \$	19,824.31	
#152	in the amount of \$	28,143.97	
#153	in the amount of \$	8,066.68	
#154	in the amount of \$	62,796.99	
#155	in the amount of \$	2,200.22	
# 20	in the amount of \$	815.15	CETA Title IV YCCIP
# 34	in the amount of \$	19.40	REVENUE SHARING
# 48	in the amount of \$	1,923.71	REVENUE SHARING

9:21 p.m. VOTED to adjourn the meeting.


.....
Marjorie R. Putnam, Secretary

mrp/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

February 24, 1981

7:30 p.m. Present: Chairman Donna McDaniel, Selectman Louis Bartolini, Selectman Thomas McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, and members of the press - Jean Bigelow and Lois Coit.

No appointments were scheduled.

Treasurer/Collector Ruth Johnson requested the signature of the Board of Selectmen regarding permission to redeem the units of the Mutual Massachusetts Fund which the Town holds at present (purchased in 1952). The Selectmen instructed the Administrative Assistant to ask the Treasurer/Collector to submit a statement specifying who the administrator of this fund is, whether or not it is the Treasurer/Collector or the Cemetery Commissioners.

The Selectmen granted Special Permits (1-day) for the sale of wines and malt beverages only, to be drunk on the premises, to the following:

1. F.D. Newton Handtub Association, c/o David K. Falconi, Secretary, for its Sixth Annual Las Vegas Nite at St. Anne's Hall, Boston Road, on Saturday, April 25, 1981 from 7 p.m. to 12 midnight.
2. Southborough Players, Inc., c/o James Myers, Vice President, play to be presented at Benson Auditorium, St. Mark's School, on March 27, March 28, April 3, and April 4 from 6:30 p.m. to 12 midnight.
3. Southboro Catholic Women's Club, c/o Donna Manning, a fashion show at Reinke Building, Middle Road, on March 10 from 6:30 p.m. to 12 midnight.
4. Southborough Rotary Club, c/o Karl Craig, for 3rd Annual St. Patrick's Dance at Reinke Hall, Middle Road, on March 14 from 7:00 p.m. to 12 midnight.

The Selectmen discussed Pre-Town Meeting Night. The Southborough Village Society and the League of Women Voters will be co-sponsoring this meeting to be held in the A. S. Woodward Memorial School cafeteria on Tuesday, April 7, 1981 at 7:30 p.m.

The Selectmen requested a written report by next Tuesday, March 3 from Town Counsel Frederick Busconi as to the contract the School Committee has with its legal counsel, as to whether or not it is a legal and binding contract due to the fact that permission was not received (under Article IV, Section 7, of the Town's By-Law) from the Board of Selectmen.

Also, the Selectmen requested the status of the Gulbankian suit and Town Counsel's legal opinion as to the course of action the Town should proceed with.

ST. MARK'S SCHOOL

Board noted February 19, 1981 letter from Mark Barlow, Jr., Headmaster, St. Mark's School enclosing a check in the amount of \$9,000 as a donation from St. Mark's School to the Town for the year 1981; in lieu of taxes. ACTION: A letter will be written thanking them for this donation for 1981.

STATE AGENCY

Board noted February 18, 1981 letter from Executive Office of Environmental Affairs, Department of Environmental Quality Engineering, 75 Grove Street, Worcester, MA 01605, re evaluations of sites listed in the Department's Report of November, 1980; Part B. Examination of Saint Mark's School (September 8, 1980) and Fay School (August 8, 1980) revealed that the Department is of the opinion that these facilities are not sites where hazardous wastes were deposited or abandoned. Therefore, these facilities will be removed from the Part B list of sites requiring further investigation.

STATE DPU

Board noted February 23, 1981 letter from Christopher C. Rich, Secretary, Department of Public Utilities, re the postponed hearing on the petition of Michael Gulbankian, Inc. of Southborough requesting a Certificate of Public Convenience and Necessity for the carriage of passengers for hire between Southborough and Boston. The Public Hearing will be held Thursday, April 9, 1981 at 10:00 a.m. (postponed from Tuesday, November 4, 1980 at 10:00 a.m.).

ZONING BOARD OF APPEALS

Public Hearing: Monday, March 16, 1981 at 7:30 p.m., Hearing Room; with regard to a petition for a variance from Section V, Paragraph A (12), parking requirements for other offices and industries and all other non-residential structures, for property located at 225 Turnpike Road; business zoned district. (Petitioner: A. J. Lane, Trustee, Westbrook Trust, 1500 Worcester Road, Framingham, MA.)

MASSACHUSETTS MUNICIPAL ASSOCIATION

Board noted Memorandum from Massachusetts Municipal Association, 131 Tremont Street, Boston, MA 02111 stating that cities and towns have only until June 30, 1981 to use the Rescission Bill that was passed as part of the 4% tax cap law (Section 14 of Chapter 151 of the Acts of 1979). A memo was enclosed, re Proposition 2 1/2 and economic development. ACTION: The Selectmen requested the submission of a written report specifying which local option statutes the Town has passed that would be affected by this Bill.

MASS-SAVE

Invitation: News Conference, Tuesday, March 3, 1981 at 10:30 a.m. Mass-Save, one of the largest cooperative programs in the nation to help consumers save money and energy, is opening its Worcester office at 534 Lincoln Street, second floor (across from Lincoln Plaza). The conference will announce the program's complete services in helping Central Massachusetts residents save energy and money. ACTION: Notify Mass-Save that the Selectmen are unable to attend.

STATE LEGISLATION

Board noted February 19, 1981 letter from Senate Majority Leader Daniel J. Foley, re summer employment- "Corporation for a Cleaner Commonwealth". ENCLOSED: Job description for the seasonal positions of Litter Patrol Crew Supervisor and Litter Patrol Crew Worker; also information pertaining to the application and hiring procedures.


DEPARTMENT OF PUBLIC WORKS

Board noted February 12, 1981 letter from DPW, District #3 Office, 403 Belmont Street, Worcester 01604, re Scenic Roads, Chapter 67, Acts of 1973. District #3 Office is in the process of upgrading its inventory of municipal ways designated as "Scenic Roads" under the provisions of the above chapter. ACTION: On February 24, 1981 a memo was directed to the Planning Board (DPW letter attached) requesting the Board's reply to same.

Selectmen signed Treasury Warrants as follows:

#156 for \$ 95,811.27	#159 for \$ 34,956.33	
#157 for \$ 10,637.24	# 21 for \$ 582.16	CETA Title IV
#158 for \$ 90,000.00	# 36 for \$ 31.53	REVENUE SHARING

8:48 p.m. VOTED: to adjourn the meeting (by unanimous voice VOTE).


.....
Marjorie R. Putnam, Secretary

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, March 3, 1981

- 7:30 p.m. Present: Chairman Donna McDaniel, Selectman Louis J. Bartolini, Selectman Thomas McAuliffe, Administrative Assistant Jeffrey Grossman and Secretary Marjorie Putnam, members of the press.
- 7:35 p.m. Site Plan Hearing was held on application of Helen Kerbel to requesting to sell retail wicker products at 61 Turnpike
- 7:42 p.m. Road, Fayville. Mrs. Kerbel presented to the Selectmen the certified receipts showing that the abutters had been notified of this Hearing. Mrs. Kerbel gave a brief presentation and stated that she will be using the building next to the store, Turnpike Food and Liquor Mart, and plans to sell dried flowers, home decorations, and wicker baskets. James Denman of the Planning Board asked to see the revised Site Plan as to the marked parking spaces. He stated that he was satisfied that the Plan conformed to the Zoning By-Law and had no objections. Letters were received from the Water Department and the Board of Health stated there were no objections. Mrs. Kerbel stated that the upstairs of this house was completely empty. She was only going to use the downstairs floor = 684 square feet. She plans to put a small sign in front of the store. None on the building itself. She will obtain a sign permit from the Building Inspector to conform to the Sign By-Law. There will be no displays on the outside of the building. No additional outside lighting is planned.
- Selectman McAuliffe made a motion that the Site Plan as submitted by Helen Kerbel be approved. Motion was seconded by Selectman Bartolini and unanimously VOTED by the Board.
- VOTED: (unanimously by voice vote) to grant a temporary office trailer permit for 30 days to Ronald J. Garcia, 174 Floral Street, Shrewsbury, MA. (Motion by Selectman McAuliffe, seconded by Selectman Bartolini.)
- VOTED: (unanimously by voice vote) to grant an Amusement Device License to Richard Curran d/b/a Southborough News Shop, 2 Main Street.
- 8:00 p.m. VOTED: (unanimously by voice vote) that the Board of to Selectmen accept the Agreement between the Southborough
- 8:10 p.m. Police Association and the Town of Southborough through its Board of Selectmen. (Motion made by Selectman Bartolini and seconded by Selectman McAuliffe.) Police Contract for Fiscal Year 1982 was then signed by the Selectmen: Chairman McDaniel, Selectman Bartolini, Selectman McAuliffe; Police Chief Robert A. Goyette; and Southborough Police Association

representatives: William J. Colleary, Richard C. Waller, and Charles A. Keller.

Selectman Bartolini stated that this new Police Contract was the same as last contract except for three changes: An eight per cent wage increase, a sick bank, and a dental plan to be paid 50% for by the Town and 50% by the employees.

8:15 p.m. Meeting of Southborough Town Employees, re Worcester County to Retirement System. The Board of Selectmen held a meeting
9:36 p.m. with Town Employees and/or their representatives to discuss the Worcester County Retirement System and its problems.

Chairman Donna McDaniel, Selectman Louis J. Bartolini and Selectman Thomas W. McAuliffe wanted to inform the Town employees as soon as possible regarding information received at their meeting with the Worcester County Retirement System in Worcester on Thursday, February 26, 1981. Carmen Illio, Chairman of Retirement Law Commission, and Michael J. Donoghue, County Treasurer, held Thursday's meeting to explain to all the participating towns and cities the serious financial status the System is in at the present time and to discuss what might be done to solve the most serious problem, i.e. of running out of funds. The System at this time is not prepared to fund all of the people who are contributing into the System. The County has about \$28 million in assets at present. However, the liabilities are approximately \$84 million. Also, there are approximately \$11 million worth of assets locked into long-term bonds earning 2½ - 4% interest, and there exists legislation hindering the liquidation of these bonds.

The pension monies paid into the System from employees is spent in the first three years of retirement. Employees hired before 1977 have 5% deducted from their pay and those hired after 1977 have 7% deducted. Judges who retire receive 75% of their annual pay. Before 1977 they paid nothing into the System yet upon retiring received 75% of their total annual salary. Since 1977 they have contributed into the System at the 7% rate.

Another high cost to the System is early retirees on disability retirement. There is a high rate of teachers claiming stress, etc. and receive disability pension from the Massachusetts Teachers Retirement System. In addition, a number of Public Safety employees retire on disability. Disability retirees receive higher payments than regular retirees. There seems to be a greater number of younger people receiving these disability pensions; 29 - 31 year olds are requesting these pensions due to Proposition 2½ layoffs. County boards turn down these requests but seem to lose these cases when they are appealed. These early retirements are putting a financial strain on the System. The Worcester County assessment is based on a straight pro rata basis according to how much they need to fund the retirees for the impending year. The County is now working on a computer printout to show each town the number of people who have retired and will be getting out an actuarial report in the next few months.

It is physically impossible to get out of this System. Towns with less than 10,000 have no choice but to stay within the System. If a town leaves the Worcester County Retirement System it would still be assessed for the liabilities which it owes.

Town employees were concerned about whether or not the money put in to date will be lost, whether or not Social Security System will take over Worcester Retirement, how long will it be before the money runs out if nothing is done, and what can be done to make this System work. One suggestion by the Selectmen was that new Legislation could help. Towns seem to hire without any physicals or without adequate physicals being required. Those in the System now should be protected to prevent pension cuts. Those entering the System should contribute at a higher rate. Monies should be guaranteed to contributors. The law now states that if the Retirement System runs out of money, they do not have to continue payment to retirees. Rules and Regulations must be tightened regarding disability pensions.

After discussing pros and cons, it was decided by all to have the Board of Selectmen seek more information and arrange for a meeting the latter part of April with all Town Employees (in the Worcester County Retirement System) and Michael Donoghue, Worcester County Treasurer, Carmen Illio, Chairman of Retirement Law Commission, Representative Joseph Navin and Senator Daniel Foley. When a firm date has been set with these gentlemen, a notice will be sent to all said employees.

The Selectmen were asked to pick a date, re a Pre-Town Meeting. The date will be April 7, Tuesday, at 7:30 p.m. at Woodward Memorial School, Cordaville Road. The Selectmen decided to hold their regular meeting at the Woodward School, to begin at 6:30 p.m. League of Women Voters and Village Society to be notified.

Selectman McAuliffe asked that another letter be sent to John Bartolini regarding Foley Drive and the continuing problem of his storage of construction equipment. He must give the Selectmen some type of timetable, re the removal of this equipment to enable Selectman McAuliffe to inform the individuals who keep calling him asking exactly when this equipment will be removed from the neighborhood permanently.

The Selectmen briefly discussed the police officer position for which applicants have been received by the Town. The officer who will be resigning has not tendered his letter to date. However, as this will be forthcoming approximately around the third week in March, Selectman Bartolini suggested that the Chief proceed with the interviews and send his recommendations to the Board for the final interviews.

APPOINTMENTS/RESIGNATIONS

Board noted February 16, 1981 letter to Town Clerk Paul J. Berry from Herbert L. Cobb, 3 Harris Drive, re his resignation from the elected position of representative from the Town to the Assabet Valley Regional Vocational School District Committee. (Due to demands of new position and the distant location of his firm. ACTION: Selectmen prefer to not fill this vacancy now. It is up to the School Committee

APPOINTMENTS/RESIGNATIONS (cont.)

The Selectmen want to wait until after the April 6 deadline to file nomination papers. Administrative Assistant Grossman to contact the Committee.

TOWN BOARDS

Re: Chapter 580 - Guidelines for Adjustment of Preliminary Full and Fair Cash Value.

Board noted February 24, 1981 letter to Board of Assessors from L. Joyce Hampers, Commissioner, Department of Revenue enclosing materials for use in seeking an adjustment of the preliminary valuation previously issued by the Department of Revenue: 1) Bureau of Local Assessment, Informational Guideline Release No. 81-401; 2) Revised EQV Form 4S, Property Classification Report; 3) Assessment Change List; also, Sudbury Compliance Status Report. The Chapter 797 certification process for new revaluations takes upwards of twelve weeks to complete, and that tax rates cannot be approved until all requirements have been satisfactorily completed.

Re: Fee Structure Survey - Board noted February 26, 1981 letter from Planning Board Chairperson Margit S. Donath attaching a copy of the fee structure for surrounding towns as compiled by Planning Board Secretary Eleanor Stoddard. Southborough basically follows Framingham's fee schedule. Chairperson Donath stated that in the majority of cases the proposed fees would not be in excess of the cost of furnishing the service. ACTION: Selectman McAuliffe will talk to the Planning Board, re this matter.

Notice of Hearing - The Planning Board will hold a hearing Tuesday, March 24, 1981 at 7:30 p.m. in the General Offices, re proposed Warrant Article for 1981 Town Meeting, Article 9, A.T.M. 1981: to see if the Town will vote to amend Section IV, Paragraph 7, Section B of the Zoning By-Laws of the Town of Southborough, effective June 6, 1955, as concerns: B. Screening.

STATE LEGISLATURE

Board noted February 25, 1981 letter from Senate Majority Leader Daniel J. Foley, re Senate Bills 1783 and 1477. Senator Foley expressed thanks for the Board's support of Senate Bills 1783 and 1477; bills which are designed to reduce the county assessments levied on cities and towns in Worcester County. These bills will have his full support when they come before the Senate.

LICENSES/PERMITS

Board noted January 19, 1981 letter from William J. McCarthy, Executive Secretary, The Alcoholic Beverages Control Commission, re Certificates of Good Standing. Effective forthwith the Commission no longer requires a "Certificate of Good Standing" be submitted with the transfer of licenses. A new procedure has been implemented wherein the Department of Revenue reviews daily any proposed transfers and advises the licensee as to any delinquency.

STATE AGENCY

Board noted February 24, 1981 letter from Regina Boatgis, Assistant Supervisor, Division of Employment Security stating that the Division's review indicates that payment for the Statement of Reimbursable Benefits issued against the Town's account for the month of October 1980 in the amount of \$1,048.00 has not been received. ACTION: The Treasurer's Office is handling this matter. A check was sent December 12, 1980 as per attached copy of cancelled check.

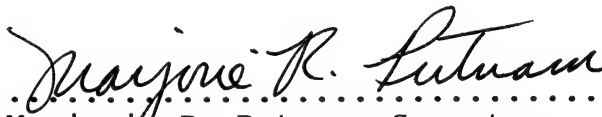
STATE DPW

Board noted February 25, 1981 letter from Henry C. Holmes, P.E., District Highway Engineer, Department of Public Works, District #3 Office, stating that the Department's Project Review Committee has authorized an aerial survey of Auto Route 9 from the Worcester-Shrewsbury Line to the Framingham-Southborough Line; in order that existing traffic deficiencies may be identified.

Selectmen signed Treasury Warrants as follows:

TW #160	in the amount of \$	440,000.00	
TW #161	in the amount of \$	18,635.02	
TW #162	in the amount of \$	26,583.92	
TW #163	in the amount of \$	56,859.84	
TW # 37	in the amount of \$	118.58	FEDERAL REVENUE SHARING
TW # 38	in the amount of \$	13,784.44	FEDERAL REVENUE SHARING
TW # 22	in the amount of \$	71.71	CETA Title IV YCCIP

10:10 p.m. VOTED to adjourn the meeting.


.....
Marjorie R. Putnam, Secretary

mrp/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, March 10, 1981

7:00 p.m. Present: Chairman Donna McDaniel, Selectman Louis Bartolini, Selectman Thomas McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, members of the press.

VOTED: (unanimously by voice vote) to nominate Animal Inspector Sereno Johnson, 120 Northborough Road. (Motion was made by Selectman McAuliffe, seconded by Selectman Bartolini)

VOTED: (unanimously by voice vote) to grant permission for a Walkathon to Horizons for Youth scheduled for April 5, 1981 starting at 10 a.m. Letter to Regional Coordinator Roseann Concannon, copy to Police Chief Goyette and John Misener, coordinator for the Southborough American Legion (co-sponsor). (Motion made by Selectman McAuliffe, seconded by Selectman Bartolini)

VOTED: (unanimously by voice vote) 30-day temporary office trailer permit granted to Vahan Sarkisian, President of Borough Corporation, at Ledge Hill Road. This is for construction and road building purposes. (Motion made by Selectman McAuliffe, seconded by Selectman Bartolini)

VOTED: (unanimously by voice vote) to renew Temporary Office Trailer Permit to Michael Gulbankian for another 30-days at 40 Mt. Vickery Road. (Motion made by Selectman McAuliffe, seconded by Selectman Bartolini)

Board of Health recommended as its representative on the Community Hazardous Waste Task Force (ad hoc) Janice Conlin. Therefore, the Board of Selectmen unanimously VOTED (voice vote) to appoint Janice Conlin to the Community Hazardous Waste Task Force, her term to expire May 1981. (Motion made by Selectman McAuliffe, seconded by Selectman Bartolini)

Selectmen discussed Police Chief Robert Goyette's letter of March 10 which enclosed applications of three finalists for the position of Police Officer. Chief Goyette would like to set up a final interview date for the three applicants. None of the applicants is certified in Massachusetts and only one is certified in another State. He is a member of the Concord, New Hampshire Police Department. It is not certain whether or not this will count toward a Massachusetts certification. The Board is not optimistic that it will count. To save money and time, the Board would like to appoint a police officer who is certified in Massachusetts and could go to work immediately. A noncertified person would have to attend 12 weeks of State Academy according to State Law. Selectmen agreed to readvertise and insert

in the ad: "Basic Recruit training for municipal police in accordance with Massachusetts G. L. Chapter 41, Section 96B preferred." The finalists are to be notified that we are readvertising and that they are still being considered.

7:30 p.m. Meeting with Paul Brefka, Chairman of the Committee and to Metropolitan Area Planning Council to Examine Present and

8:54 p.m. Future Uses of Former Fire Station and Assess Impact on Southborough Center. Mr. Brefka said the final printing was not quite ready, but would be ready at the end of the month ready for Town Meeting. He presented a Preliminary Report to the Board. Gail Jenks and Jim Denman, members of this Committee were also present. Mr. Brefka gave his presentation of his preliminary report and stated that the MAPC had done a commendable job, that many people will benefit by the studies done by the MAPC, especially the Planning Board and I.D.C. The Committee had asked them to expand the scope and study the downtown area. The developer will need all of the information the Committee can present to them. In this report, which was discussed by Mr. Brefka, is a Market Analysis Outline, re existing conditions, business activity, competition, evaluation of conditions, opportunities for expansion and options for fire station re-use. This report also contained the committee's estimated improvements needed to be done to the fire station property prior to occupancy. The Committee is suggesting that at least \$120,847 of improvements need to be done. The matter of the zoning of this property has been resolved according to the Planning Board. This property has always been zoned for business and therefore, no zoning article is needed. The Town has to ask Massachusetts Electric Company for an easement for the roadway going between the fire station and the westerly side of it. Massachusetts Electric has been contacted. They have no intention of selling this piece of land. They will not agree to give the land for the roadway. MAPC said that the Town will have to get an easement. It is the only egress. The Town can ask for it or take it. Without the easement, the property is not as desirable to purchase. The committee received a great deal of input from citizens, re the interests of the people in town. Extensive improvements are needed. The engineer went completely through the building to find what would bring the building back to standards. The Committee does not want somebody to buy the building at \$60,000 (minimum set in last year's Annual Town Meeting), then paint the inside and then open up a used furniture store or something like that. The design guidelines in the developer packet will state what is expected by a developer. But they don't want to lose a developer by being too restrictive. There are improvements that the Committee feels are absolutely necessary to complement the downtown portion of Southborough. The Committee expects the property to be at least landscaped, a new septic system installed, and a rear parking lot. The Committee does not think that you should ask a developer to pay \$60,000 and then expect \$120,000 worth of improvements on top of that, totalling \$180,000.00. The Committee would like to see the \$60,000 minimum abolished. If a developer puts \$120,000 into the property, a considerable sum of taxes would be coming to the Town. The Committee would like to attract the right type of person to buy this building, not someone who wants to make a great deal of money off

this building. The Town should be flexible on the sale price so that money can be put into improvements.

Selectman McDaniel stated at this point that there is an Article in the Warrant for Annual Town Meeting 1981 to allow the Selectmen to sell to the highest bidder.

Mr. Brefka stated that this study is very valuable as the Town knows what it will cost to improve this property. If the Committee gets a good proposal, it would like to act on it. MAPC said the Town can put restrictions on this property, on the building, and on the use in perpetuity on to the next seller and the Town will be very careful of the restrictions as they don't want to rule out the developer.

An example of a restriction would be that the building can't be torn down. The restrictions can be enforced by a Covenant by the Board of Selectmen. The highest bidder can be rejected if the proposed use is not acceptable. The Board of Selectmen will make the final decision. The guidelines will be ready for the Annual Town Meeting. There have been no contacts with prospective developers. In answer to a question from the audience as to what about putting up another building on this lot, Mr. Brefka stated that you can't build on this lot. There is insufficient frontage according to the Zoning By-Law. There is no time limit to sell this property, but the Committee plans to expedite the selling of it. People have approached Mr. Brefka and have expressed interest in this property. A Developer's Kit will be mailed to interested people. Chairman McDaniel stated that it is the feeling of the Board of Selectmen that the Town should get rid of it. It is a liability at this point. Mr. Brefka agreed as with increasing decay, the value of the building goes down. The Committee will meet again with the Board of Selectmen on Tuesday, March 31, 1981 at 7:45 p.m., re the proposed Developer's Kit.

Chairman McDaniel asked Administrative Assistant Grossman to ask the Transfer Station/Recycling Committee to meet with the Board on March 24 at 7:30 p.m. to give a status on their findings to date.

Regarding the filling of the vacancy caused by the resignation of Herbert Cobb from the Assabet Valley Regional Vocational School District Committee on February 16, the Board will wait until after the April 6 deadline for filing papers with the Town Clerk's office.

Board discussed the public hearing to be held by the Board of Appeals on Monday, March 16 at 7:30 p.m. on the petition for a variance from Section 5, Paragraph A (12), parking requirements, re proposed office building to be constructed at 225 Turnpike Road. Selectman McAuliffe made a Motion that the Board of Selectmen support the petition of A. J. Lane to reduce the parking requirements in a business zone. Selectman Bartolini seconded the Motion and the Board of Selectmen unanimously VOTED to instruct the Administrative Assistant to prepare a letter for Selectman Bartolini to take to the Hearing stating the Board's support.

Selectmen discussed the matter of legal bills of the School Committee. They cannot spend more than \$5,000 for legal fees without prior approval of the Board of Selectmen, in accordance with M.G.L. Chapter 71 Sec. 37F. The Committee has not asked for approval to date and have gone over the \$5,000 limit. Letter is to go to the School Committee and the Supt. of Schools scheduling a meeting for March 17 at 7:15 p.m. with the Selectmen. Town Counsel Busconi is to be directed to submit a report as to the status of the Gulbankian suit. It is hoped that this case can be settled by March 17.

A meeting is to be set up for next week, Tuesday, March 17 at 6:30 p.m. with Police Chief Robert Goyette.

APPOINTMENTS/RESIGNATIONS

Board noted March 10, 1981 letter from Ronald S. Gray, Patrolman and Constable for the Southborough Police Department tendering his resignation effective March 20, 1981. His resignation is due to furthering his career in Law Enforcement by accepting a position with the Metropolitan District Commission Police Force.

ACTION: Chief Goyette submitted four finalists. He wants to set a final interview date. The Selectmen unanimously VOTED to re-advertise. The Board wants to put in the ad that basic recruit training for municipal police in accordance with G.L. 41 Sec. 96B is preferred.

LEGAL

Noted: March 5, 1981 Town Counsel Opinion:

Re: Legal Services - As per Article IV, Section 7, of the By-Laws; (Any contract or agreement between any Board or Committee must be agreed upon by the Board of Selectmen).

Board noted March 2, 1981 letter to Town Counsel Frederick A. Busconi from Samuel Stonefield, Investigating Commissioner, Massachusetts Commission Against Discrimination regarding:

Lanza v. Board of Selectmen; No. 78-WEM-0084

The above referenced matter has been certified to Public Hearing. Town Counsel has been advised that Rule 15.02 of the Rules of Procedure before the MCAD requires that he file a written answer to the attention of the General Counsel, Anne H. Taylor.

ACTION: Instruct Town Counsel to answer Bill of Complaint.

REQUESTS/COMPLAINTS

Board noted March 10, 1981 request from Mrs. Janet Belcinski, 8 Parker Street, President of the Northborough-Southborough Music Association stating that the Association would appreciate a congratulatory letter from the Board. This letter will be put into the booklet when distributed. ENCLOSED: Background material pertaining to the New England Music Festival. ACTION: Letter to go to the Association.

STATE LEGISLATURE

Board noted March 2, 1981 letter from Senate Majority Leader Daniel J. Foley, re the Board's endorsement of the Town of Arlington's proposal to limit State spending. Senator Foley does not believe it is proper at this time for him to endorse or oppose specific pieces of legislation. He does wish to assure the Board and the people of Southborough that the Legislature is working diligently towards an equitable solution to the problems that have arisen under Proposition 2½.

NOTED: Senate Bill No. 245; "An Act Relative to Conflict of Interest to Certain Employees of Certain Private Kennel or Humane Society Shelters." ACTION: Chairman McDaniel will write Legislature that the Selectmen oppose this Bill.

TOWN COMMISSION

Board noted March 2, 1981 letter to George F. Killam, Chairman, Conservation Commission from Ernest L. Kallander, 18 Meadow Lane regarding Chairman Killam's February 12, 1981 letter. In response to Chairman Killam's letter, Mr. Kallander offered several observations as concerns the future of the Stony Brook Golf Course.

STATE AGENCY

Board noted February 27, 1981 letter from Eugene J. Doody, Director, Division of Employment Security, stating that the Division has created a DES Outplacement Assistance Program designed to aid municipal workers who may find it necessary to seek new employment and to assist municipalities in dealing with requirements of the unemployment insurance law. ENCLOSED: Fact Sheets which describe Job Matching and Job Insurance programs along with listings of local DES offices.

Selectmen signed the following Treasury Warrants:

TW #164 for \$ 98,411.51	TW #165 for \$496,000.00
TW #166 for \$ 6,954.71	TW #166 for \$ 49,382.45
TW # 39 for \$ 128.28 (Revenue Sharing)	
TW # 23 for \$ 1,280.78 (CETA Title IV YCCIP)	

10:10 p.m. VOTED to adjourn the meeting.


.....
Marjorie R. Putnam, Secretary

mrp/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, March 17, 1981

6:30 p.m. Present: Chairman Donna McDaniel, Selectman Louis Bartolini, Selectman Thomas McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, Town Counsel Frederick Busconi, members of the press and interested citizens.

6:30 p.m. Meeting with Police Chief Robert A. Goyette to discuss to status of his budget, resignation of full-time dispatcher, 7:18 p.m. a police officer and a sergeant from the department, scheduling of police personnel, overtime line item, sick time line item and other pertinent police department matters. Selectman McAuliffe inquired as to the reason why police officers are used as dispatchers during three 8-hour shifts per week. Chief Goyette answered that due to scheduling, it is less costly to the town to cover those three dispatching shifts with officers, since we have three officers on duty during those three 8-hour shifts being paid at their straight rate. To cover four 24 hours/day with two men on each shift, 336 man hours are needed. Nine men provide 360 man hours. Therefore, there are 24 hours when three officers would be on duty. With eight men or less, dispatchers should be used for those same three shifts due to scheduling and costs.

Dispatcher Sheppard and Officer Gray will be leaving the Police Department effective March 20, 1981 and Sgt. Baker's resignation is effective April 13, 1981. The Selectmen want the Chief to stay within his budget, barring some unforeseen emergencies. However, safety is the highest priority with the Chief and the Selectmen. On March 20 there will be only eight police officers with the department and on April 13, only seven police officers until these positions can be replaced. Chief Goyette said if someone calls in sick, or a man is on vacation, there will be only one man on some shifts. The men have permission to call for backups from the border town nearest the incident under Mutual Aid Agreements. It is hoped that two police officers will be hired with Massachusetts Police Schooling Certification. If this is not possible, twelve weeks of Massachusetts State Police Academy is mandated. The next term starts in July; another one is scheduled for the Fall. Selectman Bartolini suggested freezing summer vacations until the new officer completes his/her schooling. Or Fall vacations could be frozen. Selectman Bartolini said the Police Department has the highest sick leave record and he would like to see a decrease in this record; perhaps checkups are in order to see what the problem is. Chief Goyette stated that some of the sick leaves are due to injuries. The Selectmen would like to make at least one police officer appointment as soon as possible so as not to deplete the budget. Chief Goyette stated that "the money will not be depleted the way we are going, barring some unforeseen emergency."

Selectmen unanimously voted to give permission to F. D. Newton Handtub Association to place three temporary signs advertising its Las Vegas Night:

- One at Route 30 and 85 intersection
- One at Route 30 and Framingham Rd. intersection
- One at Southville Rd. and River St. intersection

7:30 p.m. Meeting with Southborough School Committee to discuss to hiring of legal counsel and payment of legal fees. The
8:13 p.m. entire School Committee was present as well as Richard Tibert, Business Manager, and Dennis DiSalvo, Supt. of Schools. Chairman McDaniel explained that two issues were involved: (1) The 2-year Contract that the School Committee has signed with a law firm - Allan W. Drachman, P.C. of Boston, MA; and (2) legal representation and problem with fees that have been accumulating for the suit that involves Michael Gulbankian, Inc. These fees are in excess of what is allowed to be paid under the State law (General Laws Chapter 71, Section 37F) which states that no money shall be expended in excess of \$5,000 without the prior approval of the Board of Selectmen. Norman Clement, Chairman of the School Committee, explained that they wanted a counsel with expertise in school matters to represent the three units and they agreed to pay a flat fee. Chairman McDaniel also reminded the Committee that they never received a letter requesting the services of the Town Counsel and therefore, the School Committee has violated the Town By-Laws of Southborough Article IV, Section 7, which states that no town officer, board or committee shall enter into any contract or agreement employing any other counsel without first obtaining the consent of the Board of Selectmen. Therefore, the Committee's contract with Allan W. Drachman, P. C. (which was to terminate June 30, 1982 - a two year contract) is invalid with respect to that portion pertaining to the Town of Southborough.

Selectman Bartolini read the January 22, 1975 letter from the Board of Selectmen to Jay Engel, Jr., Chairman of the School Committee at that time in which the Board allowed the School Committee and Supt. of Schools Mr. Geele to employ the services of Town Counsel William Brewin, re problems arising from Chapter 766 Special Education Programs in general and the core evaluation process in particular.

Mr. Clement stated the School Committee has asked for a retrial regarding the Gulbankian litigation. They expect to hear shortly regarding this.

Selectman Bartolini stated that the School Committee should have asked the Board's permission to use other than Town Counsel. The School Committee should have asked the Town Counsel if he had the expertise they so desired. The bill of Bowditch & Dewey for services rendered from 11/3/80 to 12/31/80 in the amount of \$6,201.68, re Gulbankian litigation will not be paid by the Town of Southborough. The Southborough Board of Selectmen was never informed that the School Committee had employed outside counsel nor ever asked verbally or in writing for permission to do so. Mr. Clement said the Committee did not know of this by-law. If they had known of it they would have written the required letter.

Chairman McDaniel pointed out to the Committee that the Contract with Drachman states a sum of \$12,000 plus expenses excluding mileage for fees. The Selectmen also pointed out that if the Committee had used Town Counsel they would not be paying \$60/hour but would be paying \$35/hour, the Town's rate, thus quite a saving would be realized. Under G. L. 71, s. 37F the State Laws allow up to \$5,000 without approval by the Board of Selectmen. Selectman Bartolini asked the Committee if they had this in their budget. Mr. Clement said they did. He did not specify exactly where in the budget this would come out of.

Selectman Bartolini asked how they chose the outside counsel. The Committee said they advertised and interviewed six or seven candidates. Selectman Bartolini said the intent of the Town By-Law to have to ask permission from the Board of Selectmen was so that each committee or board would not employ several different counsels and therefore the town would not know how many suits the town was involved in and who was suing the town.

The Selectmen stated that the fees, re the Gulbankian suit are in excess of what is allowed without prior approval by the Selectmen.

School Committee Chairman Clement stated he was also surprised by the second bill from Bowditch & Dewey for \$6,201.68 (for services rendered from 12/3 - 12/31/80 which they received last week and which remains unpaid). This was not prearranged by the Committee with this firm. Total legal fees encumbered by the School Committee is: \$2,265.98 paid and \$6,201.68 unpaid -- totalling \$8,467.66 in legal fees regarding the Gulbankian litigation. Selectman McAuliffe asked if these fees included the hours of the trial itself. The answer from the Committee was in the affirmative. Selectman Bartolini again stated that under the State law and in town by-law Article IV sec. 7, they cannot approve nor pay the outstanding bill for \$6,201.68. Town Counsel Busconi stated that the bill is only for the period ending 12/31/80, that more bills will come in which he assumes will be around \$9,000 or \$10,000. Town Counsel Busconi is now representing the Committee, re the Gulbankian case. * Town Counsel Busconi stated that he cannot file an Appearance in the Gulbankian case until there is a Disappearance filed. (This is an exchange of lawyers.)

Selectman Bartolini asked the School Committee if they wished to go into Executive Session which is allowable under the Open Meeting Law. In fact, he would prefer to do this to resolve this matter as quickly as possible. Selectmen also asked if the Committee had notified this law firm about the problem of payment. The answer was in the affirmative. Mr. Clement stated that the Committee would prefer to wait another week as there is a motion for a new trial before the court. The School Committee then left for another meeting in Northborough.

At this point a gentleman stated that there is a petition circulating asking the School Committee to settle the Gulbankian case as the Court has decreed. Citizens are concerned that the legal fees seem to be coming to the point where they are the same as the encumbrance \$20,000 awarded by the Court.

William Linnell asked the Board as to the status of his request for a guard rail or some sort of barrier on Framingham Road in front of his home (1 Maplecrest Drive) to prevent the reoccurrence of cars driving into his back yard and damaging his property. The Administrative Assistant stated that Highway Superintendent Boland has visited the site and is looking into what can be done. The Administrative Assistant will again contact Supt. Boland as to the status of this matter.

APPOINTMENTS/RESIGNATIONS

Board noted March 13, 1981 letter from Nancy J. Sheppard, Dispatcher, Southborough Police Department tendering her resignation as a full-time Dispatcher for the Department, effective March 20, 1981. She is resigning in order to further her career by accepting a position as a Security Officer with Digital Equipment Corporation.

ACTION: Letter to Mrs. Sheppard expressing Board's regrets. Letter to go to Mrs. Sheppard, re Board's vote to take under advisement her request to remain Special Police Officer for the Town.

Board noted March 17, 1981 letter to Town Clerk Paul J. Berry from William D. Baker, Box 31, Woodville, MA 01784, Sergeant and Constable, Southborough Police Department tendering his resignation as Sergeant and Constable for the Town of Southborough Police Department, effective April 13, 1981. He has attained a position in the private sector with an increase in salary and increased administrative responsibility.

ACTION: Letter to go to Mr. Baker expressing the Board's regret.

ANNUAL TOWN MEETING

Board noted March 15, 1981 letter from Wendy Otavsky, Chairman, Advisory Committee stating that the Advisory Committee will recommend at Town Meeting that the Fire Department budget be increased by \$4,000 (to be used in the overtime account). It is the Advisory Committee's opinion that the present amount of \$4,000 in this line item is insufficient to provide adequate coverage for Station 2, Southville.

NOTE: The Selectmen do not agree with this and will argue against this addition on the Town Meeting floor.

MASSACHUSETTS MUNICIPAL ASSOCIATION

Board noted March 10, 1981 Memorandum from Massachusetts Municipal Association, 131 Tremont Street, Boston, MA 02111 stating that MMA offers members information on "2½" implementation and legislative and administrative developments as follows: 1) Rescission of Police Career Incentive Law; 2) Mutual Aid Obligations of Firefighters; 3) Preliminary Cherry Sheets and 4) Town Meeting Extension Bill - (H-6243 has been passed by the Legislature with the active support of MMA). A listing of Legislative Alerts on Hearing Dates is enclosed.

COUNTY RETIREMENT SYSTEM

Board noted March 9, 1981 letter from Stella Crawford, Administrative Assistant, Board of Selectmen, Barre, MA 01005 stating that the Barre Board of Selectmen share the concerns of the Southborough Board of Selectmen, re the Worcester County Retirement System Budget increases and would appreciate being informed of any new turn of events.

REGIONAL ENERGY PLANNING ASSOCIATION

Board noted March 12, 1981 letter from Rich Hersey, Coordinator and Pete Robinson, Energy Coordinator, Community Development Office, 56 Main Street, Maynard, MA 01754 stating that a meeting was held in Maynard's Town Building February 25, 1981, re the feasibility of a regional energy planning cooperative. Generally, it was agreed that such an energy cooperative was desirable and cost-effective.

TOWN BOARDS

Meeting - Personnel Board and all Town Employees under the Salary Administration Plan on Wednesday, March 25, 1981 at 7:30 p.m. in the Hearing Room, 17 Common Street.

ZONING BOARD OF APPEALS

Public Hearing - Monday, April 6, 1981 at 7:30 p.m. in the Hearing Room, Town House, with regard to a petition for a variance from Section IV of the Zoning-By-Law, Use Regulations. The petitioner and owner of record, Robert J. Hamilton, 31 Highland Street desires to conduct firewood cutting and processing for delivery and sale on property located on Pearl Street (Assessors' Map 3 Parcel 2D); Residential B.

STATE CHAPTER

Board noted March 11, 1981 letter from Ann M. Roche, Chapter Representative, March of Dimes Birth Defects Foundation, Worcester County Chapter, Shrewsbury, MA 01545 requesting an appointment to discuss the March of Dimes fund raiser called "Road Block" which the Foundation would like to schedule in Southborough for late June 1981.


ACTION: To ask Ms. Roche to meet with the Board next week March 24, 1981 at 8 p.m. Ask Police Chief Goyette for a report, re this proposed road block as to impact on traffic - vehicular and pedestrian - on Route 85.

A citizen stated that he had experienced a similar road block in Chelmsford recently and said it was bizarre; also backed up traffic rather dangerously.

Selectmen signed Treasury Warrants as follows:

TW #168	in the amount of \$	19,466.97	
TW #169	in the amount of \$	243,218.44	
TW #170	in the amount of \$	171,503.31	
TW #171	in the amount of \$	56,757.79	
TW # 24	in the amount of \$	938.89	(CETA)
TW # 40	in the amount of \$	275.06	REVENUE SHARING
TW # 41	in the amount of \$	2,012.08	" "

8:40 p.m. VOTED to adjourn the meeting.


.....
Marjorie R. Putnam, Secretary

mrp/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, March 24, 1981

7:30 p.m. Meeting convened in Conference Room "A". Present were: Chairman Donna McDaniel, Selectman Louis Bartolini, Selectman Thomas McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam and members of the press.

7:38 p.m. Selectmen met with the Committee to Study Transfer to Station and Recycling Center (ad hoc). Committee members

8:13 p.m. present were: Brian Mauro, Richard Upjohn, Norman Boiani, and Inge Tufts. Chairman of the Committee Col. Edwin McMeen was not present. Chairman McDaniel asked for this meeting to find out the committee's findings to date re two concerns: (1) suggestions for the future as the Transfer Station hauling contract will be expiring (FY 82) and we are entering our last fiscal with this company, and (2) we need suggestions to improve the usage of the recycling center at the transfer station. Committee members stated that they had trouble getting started due to the selection of a chairman. They chose Col. McMeen as chairman and he has failed to call a committee meeting since then. Highway Supt. John Boland (ex-officio member) was present and stated that he had spoken to Col. McMeen sometime ago. Brian Mauro stated that this committee would be more effective meeting in two separate groups: one for the equipment study and one for the recycling study. Mr. Upjohn stated that some are more interested in one function and some in the other. The committee had hoped to have completed the ground work for investigating another hauler by last December. All the information had been given to the Chairman at their last meeting which was around late fall. Chairman McDaniel stated that the tasks perhaps should be divided, that when she is no longer a Selectman (Town Election Day is May 11), that she would like to work on the recycling program of this committee. Sel. McAuliffe stated that the committee should move quickly on studying a new contract which will be up for renewal next year. John Boland suggested that the two groups could meet separately and then get together as a total group. Sel. McAuliffe suggested that since the Chairman is not too active in this committee, that perhaps a co-chairman should be chosen. If one person is not available, then the other individual can be ready to step in to pull things together. Ch. McDaniel said that she had been talking to someone in Town who happens to be a psychologist. He said when the Town went to smaller recycling bins, the public interpreted this to mean that the recycling was dying out. The committee should appoint those interested in recycling and those interested in the hauling contract. Then sometime in the fall, the entire committee could be called back again to see what progress each group had made. Ch. McDaniel, Inge Tufts and Richard Upjohn said they were interested in recycling. Brian Mauro is interested in both groups and Norman Boiani and John Boland are interested in the hauling group. Sel. McAuliffe suggested that Col. McMeen should be contacted to see if he is still interested in actively participating in this committee. Sel. Bartolini said that John Boland has the last word on the hauling contract. He needs the input from the committee, but he doesn't need to attend all the meetings. Brian Mauro should have the input on the recycling. Sel. Bartolini stated that the Town of Wellesley mandates recycling and lists what can go into its Transfer Station. Sel. McAuliffe made a Motion, seconded by Sel. Bartolini and VOTED (voice

vote) by Sel. McAuliffe and Sel. Bartolini to appoint Donna L. McDaniel as a member of the Committee to Study the Transfer Station and Recycling Center (ad hoc). (Chairman McDaniel abstained from voting.)

8:17 p.m. Board met with Ann M. Roche, Chapter Representative of
to the March of Dimes Birth Defects Foundation. The Founda-
8:40 p.m. tion requests permission to schedule a fund raiser called
"Road Block" in Southborough for late June 1981. Pro-
posed dates: either on June 13 (Saturday) or Saturday,
June 20 (rain date) from 8 a.m. to 6 p.m. on Routes 30 and 85 at the
junction of both roads. She met with the Police Chief and Highway
Superintendent but will need the aid of a community group such as the
V.F.W., American Legion, or K of C to help stop traffic. Warning signs
will be placed on both roads. Participating volunteers will be identi-
fied by some sort of emblem. There will be warning signs indicating
that there is a road block further down the road and people will be
asked if they care to donate. The March of Dimes has been very success-
ful with this type of fund raising in the western part of the state,
Long Meadow, Webster, Connecticut, New Hampshire, Cape Cod, but have
not done this in the Worcester area. They need wooden "horses" and
stop signs from the Highway Dept. Chairman McDaniel said she would
object to the idea of blocking and would like a by-pass pull-off, not
actually blocking. Board said the intersection of Rts. 85 and 30 was
too dangerous for this type of operation. Ms. Roche stated that a
volunteer has a warning sign that states further down the road there
will be a place to pull over and stop "if you care to give". Sel.
Bartolini asked them to be very careful how they set it up. He
doesn't want to see traffic jam. After discussing sites for this
operation, it was agreed and unanimously VOTED by the Board to grant
the March of Dimes permission to hold its "Road Block" in the downtown
area of Southborough Center, subject to the approval of the Police
Chief and the Highway Supt., on the proposed date of Saturday, June
13, 1981 (rain date: Saturday, June 20) from the hours of 8 a.m. to
6 p.m. Ms. Roche is to contact the Chief of Police as soon as possible.

8:44 p.m. Meeting with the Planning Board to discuss its Article
to in the ATM '81 Warrant regarding Screening. Members
9:16 p.m. present were James Denman, David Scattergood, Patricia
Capone and Secretary Ellie Stoddard. Mr. Denman said in
the Zoning By-Law the Town is principally covered on the
industrial section of the by-law but not covered on the business part.
This Article is mainly for screening around business areas as well as
the industrial area. This will just add to the present by-law that
is now in force. This is to protect residential areas next to busi-
ness properties such as are on Route 9. Other than a site plan hearing
there is no by-law that protects the residents of the Town. The Plan-
ning Board believes that this Article will protect the residents of
the Town by the placing of a group of closely placed trees. Selectman
Bartolini pointed out that the small business lot would have a diffi-
cult time to adhere to the planting of trees or shrubs "for a depth
of not less than 25 feet from said way". The Site Plan Hearing can
put in the necessary screening. Between the ZBA and the Selectmen
the screening can be taken care of. Chairman McDaniel stated that
there is nothing in the By-Laws to force people to put in screening
asked for in the Site Plan. Selectman Bartolini disagreed and believes
that the Site Plan does take care of this. Sel. McAuliffe stated that
perhaps this Article would help put "some teeth" into it. Question

was asked if the Article could be amended at the Annual Town Meeting since the Hearings on this Article had been held by the Planning Board. It was agreed by all to ask the Town Counsel if this Article could be amended on the Town Meeting floor. Planning Board suggested that perhaps the Article should change the 25 ft. to 10 or 15 ft. Sel. McAuliffe suggested perhaps the amendment could say "or as deemed by the Board of Selectmen". Planning Board said they were planning on a new Parking By-Law for next year's Annual Town Meeting.

Chairman McDaniel suggested that Senator Foley and Representative Navin be invited to the April 7, 1981 Pre-Town Meeting to be held at 7:30 p.m. in the A.S. Woodward School, and the Annual Town Meeting to be held at 7 p.m. at the A.S. Woodward School.

Selectman Bartolini suggested that the police officer applications be processed Saturday, April 4, 1981 starting at 9 a.m. at the Town House.

Selectmen asked for a copy of the Cherry Sheet which the Assessors have and asked Admin. Assistant to find out how they arrived at the formula.

CORRESPONDENCE

TOWN DEPARTMENT

Police Dept.

Board noted Civil Action No. 14313, Michelle Lanza vs Town of Southborough to be called on Friday, March 27, 1981 at 10 a.m. in Worcester Superior Court Dept., Room 12. Notice dated 3/12/81.

STATE LEGISLATURE

Board noted 3/20/81 letter from State Rep. Joseph M. Navin re: SENATE BILL 1477: Heard by Taxation Committee February 26; still being held in committee; (to provide that the excise on certain deeds, instruments and writings be retained by the county in which it is collected. Taxation.)
SENATE BILL 1783: To be heard before the Judiciary Committee, Tuesday, March 24 at 1:00; (for legislation relative to the fees of registry of deeds. The Judiciary.)

STATE AGENCIES

DPW - Letter dated 3/19/81 from V. J. Cantone, P.E., Traffic Engineer, Executive Office of Transportation and Construction re 3/10/81 letter from Admin. Asst. Grossman relative to Special Speed Regulation No 6037 dated 12/31/80. Personnel from the Traffic Engineering Section, together with the Registry of Motor Vehicles, will study the area in the near future.

TOWN BOARD

Selectmen noted letter from L'Abri Fellowship Foundation, 49 Lynbrook Road with a \$500 contribution enclosed and a letter of appreciation to the Town for the welcome they received and for the many Town services the Foundation has been able to utilize. Letter dated 3/23/81.
Action: Letter to be sent.

Board noted 3/13/81 letter to the IDC from SEA Consultants, Inc. re Wastewater Disposal Alternatives Report Ref. No. 229-8801. Pursuant to S E A 's engineering agreement with the Town dated 9/16/80, eight (8) copies of the draft final report entitled "Evaluation of Wastewater Disposal Alternatives for Selected Sites in Southborough" are being submitted for the Commission's review and comment.

SITE PLAN HEARING

Re: 225 Turnpike Road(A.J.Lane)

Board noted 3/22/81 letter from Joseph E. Green, Green & Moody Assoc., 2 John Matthews Road requesting an extension of ^{the} continuation of Site Plan Hearing of the proposed development to some time after Town meeting; and notification when this date will be.

Action: Check possible traffic pattern for area with Henry Holmes, DPW, Worcester.

LICENSES/PERMITS

Selectmen granted Joseph J. Cacciatore a renewal of his temporary office trailer permit for another 30 days for Edgewood Road.

Selectmen granted three Zoning By-Law Permits to Borough Corp. of Milford to erect single family dwellings on (1) Lot 50, 4 Ledge Hill Road; (2) Lot 51, 6 Ledge Hill Road; and (3) Lot 52, 5 Ledge Hill Road.

The Southborough Youth Football and Baseball Leagues request permission to use the old fire station site to conduct a "Scotts" week fertilizer and seed sale. The sale would run hopefully Saturday, March 28 through Saturday, April 4, during the day time only.

Action: Granted.

COMPLAINTS

Board noted 3/20/81 letter to Principal Robert Rosenblatt, Woodward School re Dzierzeski Property, 10 Main St. Mrs. Dzierzeski stated that every afternoon at approximately 2:10 p.m., students who are dismissed from Woodward School are using her property as a short cut to the Main St. and Latisquama Rd. area. If any damages or injuries occur as a result of students cutting through the property (within a reasonable time-15 minutes each side of the school day), she will see that all financial obligations will be sent to Mr. Rosenblatt's attention.

STATE LEGISLATURE

Board noted letter 3/10/81 from Knollin M. Spencer, Chairman, Board of Selectmen, Town of Boylston re proposed Legislation filed by State Senator D'Amico. Enclosed - "An Act Providing for the Reassessment of Certain Areas to Reflect the Fair Market Value of Said Areas." (re: MDC Land)

Selectmen signed the following Treasury Warrants:

TW #25	in the amount of \$	637.84	(CETA)
TW #42	in the amount of	130.70	(REVENUE SHARING)
TW #172	in the amount of	96,037.71	
TW #173	in the amount of	6,049.54	
TW #174	in the amount of	120,000.00	
TW #175	in the amount of	19,377.80	
TW #176	in the amount of	12,690.47	

10:35 p.m. VOTED: to adjourn the meeting.


.....
Marjorie R. Putnam, Secretary

j

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, March 31, 1981

7:00 p.m. Present: Chairman Donna McDaniel, Selectman Louis J. Bartolini, Selectman Thomas McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, Police Officer Richard Mattioli as an interested citizen, and members of the press.

7:00 p.m. Meeting with Linda Ranieri and her brother Will Dunnebier to regarding her home at 1 Flagg Road being burglarized on
7:34 p.m. Sunday, March 29, 1981. Mrs. Ranieri stated that her paper boy reported at 4 p.m. to the Police Department that he found the door open at the Ranieri home and nobody around. Mrs. Ranieri came home at around 10:30 p.m. She had been at the Cape. When she telephoned the Police they told her that they did not have the manpower to take any prints that night as there was only one man on duty on the road and that prints will be taken the next morning. Mrs. Ranieri and her brother were very upset that only one man was on the road due to the lack of funds in the budget to put more men on the road. Mr. Dunnebier asked who was in charge of the Police Department. If it is the Chief, where is he? Where does he live? Why is the Police Force dwindling away to nothing? Why is nobody being replaced for the officers who are leaving? The Selectmen stated that all information regarding the residence of the Chief and budget information were given at two public meetings with the Board of Selectmen. The Board has not received any complaints about the decisions that were made at those public meetings. The men left the Police Department for higher positions. Regarding the comments on morale, the Selectmen believe it is very high. Mrs. Ranieri asked why the house was not secured after finding it burglarized and the door left open. Why was a neighbor not notified of the burglary? Mrs. Ranieri didn't find out about it until she arrived home at about 10:30 p.m.

Selectman McAuliffe asked Officer Mattioli what the normal procedure is, re house breaks and no one at home. Officer Mattioli stated that you contact somebody with the family if possible. The premises would ordinarily be locked up. Also, the officer tries to notify the owner and stay until the owner arrives. But if there is only one man on the road he can't stay long at the premises. The Selectmen asked if an attempt was made to notify anybody. Mr. Dunnebier said he knows that one man can't handle everything and that the Police Department does not have the manpower to handle the investigation or follow up any leads. There was a Dispatcher at the station and only Officer Durran on the road. The Selectmen stated that there are budget problems at present. Selectman Bartolini stated that they will ask for a copy of the Officer's Report regarding this incident. Selectman Bartolini also stated that right now the Chief is on sick leave and that the Shift Sergeant on duty is in charge of the Department. Regarding the men who have left the department, they have gone on to better paying jobs. At one time, the department used more civilian dispatchers in order to put more police officers on the road. Budget

problems now dictate that one officer is not being replaced and sometimes officers are back at dispatching in order to save on over-time. One full-time dispatcher has also left the department for a better paying job in the private sector. Mrs. Ranieri asked what the department does for backups when needed. Selectman Bartolini replied that Mutual Aid is called when needed. Mr. Dunnebier stated that he does not think the Town has the protection it needs. The Selectmen stated that this year the Police Department had an excessive amount of sick time and men out and there are no excess funds available at this time. Selectman McAuliffe stated that more information would have been present at this meeting if Mrs. Ranieri had stated on Monday, March 30, 1981 what she had in mind when she insisted on the meeting tonight. Selectmen stated they would look into all the complaints presented at this meeting.

7:35 p.m. Public Hearing on the Proposed Use of General Revenue
to Sharing Funds for Fiscal 1981.

7:47 p.m.

Administrative Assistant Grossman gave a report on how the General Revenue Sharing Funds were applied from 1974 - 1980:

<u>Year</u>	<u>Applied to</u>
1974	Transfer Station
1974	Gasoline Storage Tanks
1975	Convert Fire Ladder Truck
1975	Highway Solid Waste Control
1976	Town Hall Users Group
1976	Town Hall Renovations
1977	Town Hall Debt Retirement
1977	Town Hall Interest on Debt
1978	Town Hall Debt Retirement
1978	Town Hall Interest on Debt
1979	Town Hall Debt Retirement
1979	New Fire Station Retirement
1979	Town Hall Interest on Debt
1979	New Fire Station Debt
1979	New Cap & Chassis - - Highway
1979	Two Police Cruisers
1980	Town Hall Debt Retirement
1980	New Fire Station Retirement
1980	Town Hall Interest on Debt
1980	New Fire Station Debt
1980	Maintenance on Town Roads
1980	Two Police Cruisers
1980	Expenses for Municipal Bond Issue
1980	Inscribing Additional Names on Veterans Monument

Administrative Assistant Grossman then stated the following amounts and uses which are proposed for Fiscal 1982:

Fire Station Debt	\$ 35,000.00	
Town Hall Renovation Debt	<u>30,000.00</u>	
Total Debt Retirement		\$ 65,000.00
Fire Station Interest on Debt	\$ 9,817.50	
Town Hall Ren. Int. on Debt	<u>8,010.00</u>	
Total Interest on Debt		\$ 17,827.50
Library Article #24 ATM 1981 (to come from Available Funds)		<u>6,000.00</u>
Total General Revenue Sharing Funds to be used in FY 1982		\$ 88,827.50
Since there is available General Rev. Sh. Funds of	\$ 48,551.08	
and the sum of anticipated Gen. Rev. Sh. Funds of	<u>80,628.00</u>	
Available Gen. Rev. Sh. Funds) total	\$129,179.08	
and anticipated)	=====	
The Town will retain		\$ 40,351.58
		=====

Recapitulation: Use FY 1982	\$ 88,827.50
Retain	<u>40,351.58</u>
	\$129,179.08
	=====

The Board of Library Trustees were present and asked if the \$6,000 proposed for the Library Article 24 could come out of Available General Revenue Sharing Funds, not from Anticipated Funds. The Selectmen assured them it would come out of Available Funds. Members of the Planning Board, the Water Commissioners, Capital Budget Planning Board, Town Accountant, Jean Bigelow of the Southborough Villager, Lois Coit of the Worcester Telegram and Gazette, and interested citizens were also present. There were no objections to the proposed use of the General Revenue Sharing Funds for Fiscal 1982 as stated above. Therefore, it was unanimously VOTED (by voice vote): to declare the Hearing on the Proposed Use of General Revenue Sharing Funds for Fiscal 1982 closed. (Motion by Selectman McAuliffe, seconded by Selectman Bartolini).

Selectmen granted a Special License (1-day Permit) to Dolores and Paul Patterson for a bridal shower at St. Anne's Hall, Boston Road, on Saturday, April 4, 1981 from 4 p.m. to 12 midnight.

Selectmen signed a Street Opening Permit for New England Telephone to open Cordaville Road from April 1 to April 15 for the purpose of attaching to existing conduit.

Selectmen unanimously VOTED to grant the Lions Club permission to sell light bulbs at the Transfer Station on April 18 and April 25, 1981. Activity to be coordinated with Highway Supt. John Boland.

Selectmen unanimously VOTED to grant the First Community Church permission to hold a car wash at the old fire station on Saturday, April 11, between 10 a.m. and 2 p.m. Activities to be coordinated with Water Supt. Bill Binder. Water Commissioner Cummings stated he had no objection.

It was an unanimous VOTE (voice vote) of the Board to grant to Sandra Samuels permission to use Wyndemere Drive for an Easter Sunrise Service from approximately 5:30 a.m. to 7:00 a.m. Activities to be coordinated with Police Department. (Motion by Selectman McAuliffe, seconded by Selectman Bartolini)

7:51 p.m. Meeting with ad hoc Committee and MAPC to Examine Present to and Future Uses for the former Fire Station and Assess

8:43 p.m. Impact on Its Use on Southborough Center. Paul Brefka, Chairman of the Committee, and members Gail Jenks and James Denman were also present. Mr. Brefka presented to the Selectmen a Final Draft of the Committee's findings, in the form of a Developer's Kit, for the Selectmen to review between now and the Town Meeting. At the beginning of this report is a timetable of events. The Committee would like by the first of May to advertise the sale of the property. The cost of this advertisement is about \$325 and the Industrial Development Commission has agreed to pay for this out of its budget. The Developer's Kit would sell for \$25 a copy. This money, of course, would go back into E & D, but would cover the cost of the printing. Fifty or sixty kits will be printed. They also will be useful to the Planning Board, Board of Health and perhaps other boards. The kit is to be completed by May 13. If a good reasonable response is not received, they plan to re-advertise on June 1. The Committee would like to allow ninety days to respond to the developer's kit. The bidding should close in August. The Board of Selectmen and Mr. Brefka's committee agreed that all bids are to be in by Tuesday, August 11 (a Selectmen's meeting night). Evaluation period will be from August 11 to September 14. The Committee will make recommendations to the Selectmen on September 15. Mr. Brefka explained the purpose of the maps contained in the kit. Committee still has not resolved the land now owned by the Massachusetts Electric. They use it as a mobile field station. The land would improve the

value of the property. The MAPC has been looking at the area in the vicinity of the railroad track. It seems as the SPA and the K of C have been allowed to use 33 feet of the railroad's property. The Railroad owns 65 feet on either side of the railroad track. Parking area could be expanded. Choices are: (1) The Railroad could deed the land to the Town; (2) Allow an easement over the property for perpetuity; or (3) the Town could take it by eminent domain. This matter is also unresolved. The old fire station is on a nonconforming lot. Suggestion: ask the ZBA if it might be possible to grant a variance to expand in the back. A covenant will be placed on the building and no occupancy will be allowed until everything has been completed. Mr. Brefka asked the Selectmen as to the date the Committee will stop its involvement. After the building has been sold; policing action will be done by the Building Inspector. The Selectmen should decide on the date the committee is to be disbanded. Also, Mr. Brefka needs to know the asking price of the property. As it stands now before Town Meeting, the minimum asking price is \$60,000. Mr. Brefka stated he would attend Pre-Town Meeting on April 7 in order to answer any questions asked, re this matter.

Selectmen asked Administrative Assistant Grossman to instruct Town Counsel to file in Superior Court a Declaratory Judgment seeking an interpretation of Chapter 580 Amending Chapter 59, Section 20A of the General Laws (Proposition 2½). This is regarding the assessment by Worcester County.

Selectmen will be interviewing police officers on April 4 (from 9 a.m. to 11 a.m.; Saturday) and asked that the meeting be posted with the Town Clerk.

Selectman McAuliffe stated that he is still receiving telephone calls from the residents of the Foley Drive area that the problem of John Bartolini's construction equipment being stored on Foley Drive has not been resolved to date. The Selectmen instructed that another letter be sent to John Bartolini voicing the Selectmen's deep concerns and ask him to please take immediate action to rectify this situation. Mr. Bartolini had promised that this all would be resolved prior to March 17.

Re: House/Property located at 7 John Street - Complaint

Mr. Helmer Metz of 9 John Street complained about the house next door to him as being a health hazard. He stated that the owner died 18 months ago and everything has remained as is. There is still food in the refrigerator, pots and pans on the stove not clean and corn meal all over the floor. Nothing has been touched. He stated he has seen rats on the property. He has cleaned the property to prevent rats coming over to his property. Mr. Mertz said there is no running water. That the water to the toilet is from a well and doesn't know where the sewerage flows to. He believes that this building needs more than just a lock on the door, that it is a health hazard. He has contacted the owner who stated to him that

he did not ask Mr. Metz to clean the property of the bottles. Mr. Mertz stated he has complained to the police about this property being used by young people. The Board of Health sent their agent - Building Inspector Phaneuf - to inspect this house. Mr. Phaneuf stated the building should be secured.

STATE LEGISLATURE

Board noted March 24, 1981 Memorandum from Marcia Moley, Director of Elections, Office of the Massachusetts Secretary of State regarding postponing Town Meetings; Write-In Candidates. A copy of Chapter 24 was enclosed: "An Act Relative to the dates for Annual Town Meetings and adoption of Regional School District Budgets in the Year Nineteen Hundred and Eighty-One." (Chapter 24 of the Acts of 1981, signed by the Governor on March 12 and effective immediately, permits a town to delay the holding of its annual town meeting until any date on or before June 30, 1981, even if local law, charter, or by-law provides an earlier date. The decision to postpone the town meeting date is made by vote of the Selectmen.)

Board noted March 24, 1981 letter from Edward W. Connelly, R-Agawam and William D. Mullins, D-Ludlow regarding the "Connelly-Mullins" Sales Tax Bill, House 532. A copy of Rep. Connelly and Rep. Mullins' statement pertaining to House Bill 532 was enclosed. At the present time 40% of retail sales tax collections are deposited into the Local Aid Fund. House Bill 532 requires that the additional 60% (which now goes into the General Fund) also be added to the Local Aid Fund. ACTION: Send letter of support to Rep. William Mullins, Rep. Edward Connelly, Rep. Joseph Navin and Senator Daniel Foley.

SCHOOLS

Board noted March 25, 1981 letter from Mark Barlow, Jr., Headmaster, St. Mark's School enclosing a check for \$9,000 as a contribution to the Town, for the fiscal year 1979 - 80. Under the circumstances and since this amounts to \$18,000 in one fiscal year, St. Mark's will not be making an additional contribution in support of the new fire truck. (Check turned over to Treasurer/Collector March 26, 1981). ACTION: Letter to go to St. Mark's thanking them for this contribution.

CHAPTER 580 - PROPOSITION 2½

Board noted March 20, 1981 letter from Mack W. Mitchell, The First Parish Church Unitarian, Northborough, re a presentation: "How To Live With Proposition 2½". Peter Boyer, Town Manager of Southbridge, MA and President of the Massachusetts Municipal Association will speak on April 5, 1981 at 7:30 p.m. at the Unitarian Church, Main and Ruggles Streets in Westborough. It is requested that one member of the Board of Selectmen be designated to be in attendance to ask questions/ share experiences on this pressing issue.

ZONING BOARD OF APPEALS

Board noted March 26, 1981 letter to Edward Cox, A. J. Lane & Company, 1500 Worcester Road, Framingham, MA 01701 from Charles B. Swartwood, III, Mountain, Dearborn & Whiting, Counselors At Law, Worcester, MA 01608. Administrative Assistant Jeffrey Grossman requested (on March 26, 1981) three copies of a plan A. J. Lane & Company's Attorneys submitted to the Board of Appeals. The plans were directed to be delivered to Administrative Assistant Grossman.

Finding of Fact and Decision: At the ZBA Public Hearing held March 16, 1981 on the petition (and owner of record) A. J. Lane, Trustee, Westbrook Trust, 1500 Worcester Road, Framingham, MA, re Variance from Section V, Paragraph A (12), "Parking requirements for other offices, and industries and all other non-residential structures", (225 Turnpike Road) the ZBA decision was as follows:

The Board of Appeals VOTED unanimously to GRANT the variance on the condition that a six foot fence be put across the rear lot line and a fence be erected on the Parkerville Road (west) side of the parking lot. Additional screening as shown on Exhibit "A" is to be required also.

STATE AGENCY

Registry of Motor Vehicles:

Board noted March 27, 1981 letter from Robert F. Gallagher, Supervisor, Accident Investigation Section, 100 Nashua Street, Boston, MA 02114 regarding the intersection of Break Neck Hill and White Bagley Roads and the Route 9 fatality which occurred there. Supervisor Gallagher hopes to elicit the aid and comments of the Board members and/or those whom the Selectmen may designate to participate in effective remedial proposals for the reduction of accidents at this dangerous intersection.

ACTION: Administrative Assistant Grossman will call Mr. Gallagher to see what he has in mind and to see if there is anything the Selectmen can do. Ask if he wants to meet with the Selectmen.

STATE DPW

Board noted March 25, 1981 letter to Henry Holmes, P.E., District Highway Engineer, DPW, from Administrative Assistant Jeffrey A. Grossman stating that the Board requests that the Massachusetts Department of Public Works erect "No Parking" signs on Route 9, East, approximately 125 feet west of Lugia's Sub Shop, leading to the intersection of Middle Road. It is the intention to prohibit parking beginning at the driveway entrance leading to the Sub Shop and ending at the intersection of Middle Road; to further protect the traveling public.

APPOINTMENTS/RESIGNATIONS

Board noted a letter received March 30, 1981 from William Baker, Box 31, Woodville, MA 01784 informing the Board that he will resign his position as Police Sergeant effective Wednesday, April 1, 1981 at midnight rather than the original date of Monday, April 13, 1981. His new employer, Management Safeguards, has requested that he begin his new position on April 6, 1981.

REQUESTS/COMPLAINTS

Board noted March 25, 1981 Memo to File, regarding a petition for "Slow-Children" signs to be placed on corners of:

- 1) Harris and Bryden Roads
- 2) Richards and Bryden Roads

ACTION: Highway Supt. John Boland will take care of this matter.

PURCHASING/CONTRACTS


Board noted March 24, 1981 Memo, re the addition of Fayville Village Hall front yard to the Grounds Maintenance Contract. It is the recommendation of Office Manager Grace T. Ryan that the above property is the only remaining town-owned site that does not come under the Grounds Maintenance Contract and should be included in this Contract. A written price will be requested from Douglas Curtiss (Doug Curtiss Landscaping). It is estimated that the per mowing charge would be \$20.00.

ACTION: On March 27, 1981, Mr. Curtiss called and stated that he will mow the Fayville Village Hall property for \$15.00 per mowing for a total of \$375.00 per year. The Board VOTED unanimously to approve the addition of \$375 to the contract of Buildings and Grounds Maintenance. (Motion was made by Selectman McAuliffe, seconded by Selectman Bartolini.)

Selectmen signed Treasury Warrants as follows:

TW #177 in the amount of \$	17,406.74	
TW #178 in the amount of \$	31,398.01	
TW #179 in the amount of \$	8,793.90	
TW # 43 in the amount of \$	6,618.26	FEDERAL REVENUE SHARING
TW # 26 in the amount of \$	594.08	CETA Title IV YCCIP

9:48 p.m. VOTED to adjourn the meeting.


.....
Marjorie R. Putnam, Secretary

MINUTES OF SPECIAL MEETING
OF BOARD OF SELECTMEN

Saturday, April 4, 1981

9:05 a.m. Special Meeting convened in the Town House.
Present: Chairman Donna L. McDaniel, Selectman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Administrative Assistant Jeffrey A. Grossman and Police Sergeant Richard Waller as an interested citizen.

The following were interviewed for the position of Police Officer in the Southborough Police Department:

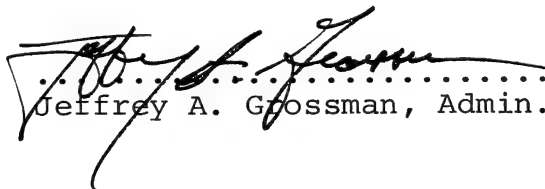
William H. Webber, 84 Prospect Heights, Milford, MA 01757
Robert P. Robinson, 11 South Street, Auburn, MA 01501
Joseph F. Deignan III, 52 Beechwood Avenue, Watertown, MA 02172
Henry N. Dumas, Box 542, Dudley Hill Br., Dudley, MA 01570
Richard G. Appley, 78 Beaconsfield Rd., Worcester, MA 01602
Dennis P. Reardon, 43A Beaver Terr. Cir., Framingham, MA 01701

Selectman McAuliffe made a motion, seconded by Selectman Bartolini, and unanimously VOTED (by voice vote) to appoint the following as police officers *effective April 19, 1981 starting salary to be at Grade PS 7, Step 1 (FY '81: \$259.26; FY '82 effective July 1, 1981: \$280.00) upon successful passage of physical examination and a background check:

Joseph F. Deignan III, 52 Beechwood Ave., Watertown, MA 02172
William H. Webber, 84 Prospect Heights, Milford, MA 01757

Selectman McAuliffe made a motion, seconded by Selectman Bartolini, and unanimously VOTED (by voice vote) that Sergeant William J. Colleary, Jr. be placed as Sergeant in Charge of the Southborough Police Department until further notice, effective April 4, 1981.

12:33 p.m. Meeting adjourned.


.....
Jeffrey A. Grossman, Admin. Assistant

jag/dp

MEMO: * See Minutes of April 7, 1981.

MINUTES OF MEETING

BOARD OF SELECTMEN

Tuesday, April 7, 1981

A. S. Woodward School Cafeteria

6:36 p.m. Present: Chairman Donna McDaniel, Sel. Louis Bartolini, Selectman Thomas McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, members of the press and interested citizens.

6:36 p.m. Chairman McDaniel stated that on Monday, April 6, 1981 at 12 noon bids were opened for 1981 police cruisers at the 6:41 p.m. Police Station. Two bids were received:

- 1 Natick Ford, 157 W. Central Street, Natick, MA
Bid was for two Ford Fairmonts, 4 door sedans V-8 - 255 engine in the amount of \$16,581.04 (without trade-in)
- 2 Natick Dodge, 161 W. Central Street, Natick, MA
Bid was for two Dodge Diplomats Salon, 4 door sedans V-8 - 318 engine in the amount of \$17,970.00 (without trade-in)

Article 20 of ATM 1980 amount is \$15,000. A trade-in amount of approximately \$600 was quoted to Administrative Assistant Grossman. The Advisory Committee stated they would approve a transfer from the Reserve Fund for the shortfall amount of approximately \$981 if trade-in amount is deducted from bid amount of the lowest bidder (Natick Ford). Therefore, Selectman Bartolini made a motion to accept the lowest bid of Natick Ford minus the trade-in amount. Administrative Assistant is to confirm the vote of the Advisory Committee that they will sign a Transfer from the Reserve Fund for the shortfall amount before a contract letter goes to Natick Ford. Motion was seconded by Sel. McAuliffe and unanimously VOTED (voice vote) by the Board.

6:42 p.m. Chairman McDaniel announced that the Board held a Special Meeting on Saturday, April 4, 1981 and six people were interviewed for the police officer position. At that meeting the Selectmen appointed William H. Webber of Milford and Joseph F. Deignan, III of Watertown as police officers. At the Special Meeting on April 4, 1981 the vote stated April 19 as being the effective date to begin employment for these officers. Selectmen intended the vote to say they must begin employment no later than April 19. Therefore, Selectman McAuliffe made a Motion that the Vote of April 4, 1981 be changed from "effective 19, April 1981" to "effective April 12" as the beginning date of employment for these two men. Selectman Bartolini seconded the motion and it was a unanimous voice vote of the Board.

The Board unanimously voted to grant permission to the Cub Scouts to use the Town Hall parking lot on Saturday, April 25, 1981 from 9:00 a.m. to 12 noon for a Bicycle Rodeo. A letter is to go to Maureen Ferris. Selectmen asked that the Pilgrim Church people be contacted to see if this date is clear with them.

Selectmen signed Special Speed Control Regulation No. 6037. Speed signs to be placed on Jericho Hill Road, Fisher Road, Northboro Road, Johnson Road, Framingham Road, Route 30 and Route 85. This is to be notarized by the Town Clerk and sent to the DPW for finalization.

Selectman McAuliffe stated he had received a telephone call from former Civilian Police Dispatcher Nancy J. Sheppard who informed him that she had made a mistake in leaving Southborough and would like to have her job back. Sel. McAuliffe stated that he found her to be a very capable individual, that she was a credit to the Town and that he believes that her leaving should not be held against her. Chairman McDaniel stated that the Selectmen had not replaced that full-time position, that part-time people have filled in. The Board would like Ms. Sheppard to write them a letter stating that she would like to return. Sel. Bartolini said he had no objection to Mrs. Sheppard coming back but would request that she send the Board a letter requesting to have her job back. Therefore, Sel. McAuliffe made a Motion that Nancy Sheppard be reinstated as Civilian Dispatcher in the Southborough Police Department pending a letter requesting same and upon condition of a physical examination. Sel. Bartolini seconded the Motion and it was unanimously VOTED (voice vote) by the Board of Selectmen.

Selectmen signed letter to Rep. Joseph Navin supporting Resolution to Increase Local Aid Fund by \$300 million.

Chairman McDaniel announced that next week the Annual Town Meeting would convene at 7 p.m. in the A. S. Woodward Memorial School and that the Selectmen would meet at 6:30 p.m. in the A. S. Woodward Memorial School to hold a General Revenue Sharing Budget Hearing (in accordance with 31 C.F.R. Sect. 51.10 (i) for the purpose of appropriating the Town's General Revenue Sharing Entitlement for Period 12 to be expended during FY 1981.

STATE LEGISLATURE

The Board noted April 1, 1981 letter from Samuel Rotondi, State Senator, 4th Middlesex District expressing appreciation for Chairman McDaniel's thoughts on Senate Bill No. 245; "An Act Relative to Conflict of Interest to Certain Employees of Certain Private Kennel or Humane Society Shelters" and stated that her opinions will receive his full consideration and deliberation when this Bill comes before him for action.

SOUTH MIDDLESEX OPPORTUNITY COUNCIL

Board noted March 27, 1981 letter from Rev. Jack R. Stevens, Pastor, Christ Lutheran Church, 113 Union Street, Natick, MA 01760 stating that SMOC is planning a special volunteer awards night and supper April 24, 1981 at the King School in Framingham. Details will follow as concerns this event. As the Executive Director of SMOC, Paul Houlihan has been with the agency for ten years, his dedicated service will be noted publicly. Please respond by April 15 if a contribution is to be made toward a gift.

COMPLAINTS

Board noted March 31, 1981 letter from Greg Supernovich, 18 Pleasant Street, Fayville stating that last October vandals destroyed the basketball hoops at the Fayville playground. Mr. Supernovich is requesting that the hoops be fixed so that residents may use the facility again.

ACTION: Highway Superintendent Boland has taken care of the hoops. Administrative Assistant Grossman to send a copy of the letter from Mr. Supernovich to Recreation Commission, re this problem.

TOWN DEPARTMENTS

Board noted April 6, 1981 letter from Town Clerk Paul J. Berry informing the Board that on Wednesday, April 15, 1981, a Print-Out Ballot for the 1981 Annual Town Election will be mailed to the printer. If the Board has any questions to be put on the ballot, they must be submitted to the Town Clerk's office by Friday, April 10, 1981 with a summary.

Selectmen signed Treasury Warrants as follows:

TW #180	in the amount of \$	99,814.44	
TW #181	in the amount of \$	5,823.36	
TW #182	in the amount of \$	9,368.08	
TW # 27	in the amount of \$	226.26	CETA Title IV YCCIP
TW # 28	in the amount of \$	38.78	CETA Title IV
TW # 44	in the amount of \$	82.20	REVENUE SHARING

7:12 p.m. VOTED to adjourn the meeting.

Marjorie R. Putnam

.....
Marjorie R. Putnam, Secretary

mrp/dp

MINUTES OF SPECIAL MEETING
BOARD OF SELECTMEN

Monday, April 13, 1981


- 6:30 p.m. General Revenue Sharing Budget Hearing (in accordance
to with 31 C.F.R. Section 51.10 (i) for the purpose of
6:45 p.m. appropriating the Town's General Revenue Sharing
Entitlement for Period 12 to be expended during FY 1982.

Meeting convened in the Gymnasium of the A. S. Woodward Memorial School, Cordaville Road. Present were: Chairman Donna McDaniel, Selectman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Administrative Assistant Jeffrey Grossman, Lois Coit of the Worcester Telegram & Gazette and interested citizens.

After a brief discussion, Motion was made by Selectman McAuliffe, seconded by Selectman Bartolini and unanimously VOTED (voice vote) to use General Revenue Sharing funds as read at Proposed Use Hearing on March 31, 1981 by Administrative Assistant Grossman.

Upon Motion made by Selectman McAuliffe, seconded by Selectman Bartolini, it was unanimously VOTED (voice vote) to award bid to Thomas Dando for the GPM John Bean Hydraulic Sprayer for \$100 (only bidder) being sold by the Tree Warden as surplus equipment.

- 6:53 p.m. Special Meeting of the Board of Selectmen was unanimously VOTED to adjourn (voice vote).


Jeffrey A. Grossman, Admin. Assistant

jag/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, April 21, 1981

7:30 p.m. Meeting convened in the Hearing Room.
Present: Chairman Donna McDaniel, Selectman Louis Bartolini, (Selectman McAuliffe not present; on vacation), Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam; Press: Lois Coit (Worcester Telegram and Gazette); Building Inspector Edgar Phaneuf, Jr.; Gail Hoss (Southborough Villager); Town Counsel Frederick Busconi; Lorraine Keller.

7:34 p.m. Board met with Anthony J. Williams of Shrewsbury, MA to regarding a parcel of land he owns on Oregon Road

8:03 p.m. (Assessors' Map 15, Lot 18, 3.29 acres). Mr. Williams stated that he has two problems with his property:

(1) His property is continually being vandalized. Last year his garden was destroyed. Someone is placing his grass clippings on his land. Holes are being dug. Mr. Williams found four holes at least three feet deep. He keeps filling them in. Last Thursday he found that at least four square feet of sod had been dug up. The loam had been removed out of his garden plot. The kids continually make the area into a baseball field. They never ask for permission. There is a 26 foot driveway he uses to get onto his land. Surrounding neighbors seem to be using this driveway for their own use. (2) Someone is interested in buying this property to build upon but wants assurance that he can build. Mr. Williams bought land on Oregon Road in 1947 and has since split it up leaving Lot 18 as it is now since 1963. Application for a Zoning Permit was denied by the Board of Selectmen in 1963, 1966 and 1967 for lack of proper frontage. The Board of Appeals denied a variance in 1967 due to lack of frontage, objections from five abutters and conservation of property values.

Mr. Williams stated that he was very frustrated trying to get approvals from the various boards, that he wants to sell this property, that he wants the Board of Selectmen to waive all the Zoning By-Laws and grant him a permit to build on his property. Chairman McDaniel explained that the Board of Selectmen does not have the authority to exempt him from the Zoning By-Laws of the Town. All the Board can do is to deny him a Zoning Permit and he can then apply to the Board of Appeals due to his parcel of land having inadequate frontage. Mr. Williams was advised to try again. The Board of Appeals has different members and the abutters may be different ones from those who objected in the past. Mr. Williams complained that he has not applied to the ZBA due to it being so costly in the past, said he would go to the Planning Board, but not the ZBA. Chairman McDaniel said the Board will do everything possible to see that the vandalism is stopped. Selectman Bartolini stated that he has presided at prior meetings with Mr. Williams and the Board told him the same as they have tonight, that he has not the proper frontage and must go before the ZBA if he wants a variance to build upon this lot. Selectman Bartolini stated that the

issue is clear: 125 foot frontage is required and this lot has only 75-77 foot frontage. That is not enough. Mr. Williams stated that he did not care about the Zoning By-Law and still believed that the Building Permit should be issued to him without any more hearings.

8:05 p.m. Meeting with Sandra Brock, part-time civilian police to dispatcher. Present were her mother and Police Sergeant
9:34 p.m. William J. Colleary, Jr. (Sgt. Colleary is Officer in Charge while Chief Goyette is on sick leave.)

Sandra Brock asked for this meeting as she stated that Chief Goyette had promised that when Dispatcher Nancy Sheppard quit about three weeks ago that she could have this full-time position and subsequently read in the newspaper that Nancy Sheppard had been reinstated to the full-time position she formerly held. Ms. Brock handed to the Selectmen a letter dated April 21, 1981 in which she stated all the facts that she feels substantiates her complaint that this full-time position had been promised to her. Sgt. Colleary stated that the Chief never told him that Ms. Brock had been promised this position. Chairman McDaniel stated that the Board knew nothing about this promise of the Chief's, that the Board was asked by someone who wanted to come back, never knew that someone else was offered the position. Sgt. Colleary stated that he read in the newspaper that Nancy Sheppard was reinstated. He didn't know she wanted to come back. He thought she was happy in her new job. He had the understanding that Sandra was a part-time employee. Selectman Bartolini stated that "We have two people for one position. This is a department head decision." Sgt. Colleary stated that no one had consulted him. After this reinstatement, Sgt. Colleary telephoned the Chief who said to put Nancy back on. Administrative Assistant Grossman stated that he had talked to the Chief about Sandra's statement that the job was offered to her. The Chief said that Sandra was offered four or five shifts indefinitely; said Sandra should share with Frankie Moore for all the open shifts. The Chief just wanted the shifts covered. There are five available dispatcher shifts. There are four full-time dispatcher shifts. There are four full-time dispatchers and two part-time dispatchers. Full time are: Clerk-Dispatcher Willard Putnam, Frank Moore, Nancy Sheppard, and John Mauro, Jr. Part-time Dispatchers are: Kathleen Straitt and Sandra Brock. Chairman McDaniel stated that the Board unknowingly made a mistake. Selectman Bartolini stated that the Board made the mistake and it should be reversed and the Board should give the position to Sandra Brock. Chairman McDaniel said that she was not willing to do that. The Board made the mistake. The Board made the appointment. The Selectmen have to make the appointment from part-time to full-time. Selectman Bartolini said that Nancy is the innocent party, but Goyette had promised Sandra Nancy's shifts. If the Board knew about this before hand, Nancy would not have been reinstated. Sgt. Colleary again stated that Sandra Brock is a part-time dispatcher. That is what Chief Goyette told him. Selectman Bartolini then asked if both can get equal number of shifts. Sandra Brock stated that she has no scheduled shifts now. When she was hired she had one scheduled shift a week. Chairman McDaniel stated that she did not see any great basis for making a decision. Which

mistake does the Board wipe out? Selectman Bartolini questioned Sgt. Colleary; if it was possible that both could have $2\frac{1}{2}$ shifts a week or more a week. Sgt. Colleary said there were only five shifts available. A slim budget prevents more being available. Sgt. Colleary explained why the Chief recently advertised for more part-time dispatchers. The Chief wanted more available part-time dispatchers available to be called when needed to fill dispatcher shifts so the men wouldn't have to sit at the desk. The Chief just wanted more part-timers on call. Sandra again stated that now she is not working at all. Chairman McDaniel said: "What we are saying here is that she has no job?" Selectman Bartolini: "I would say so." Chairman McDaniel said she did not want to take that responsibility of telling someone they don't have a job. "I will support that what we did was correct. I don't think the Board made a mistake." Selectman Bartolini stated that the Board had the wrong information given to it. Sgt. Colleary said that it was his understanding that if the Chief wants somebody appointed he has to recommend them to the Selectmen. Selectman Bartolini: "Why didn't he come to us?" Chairman McDaniel questioned whether the Chief offered a full-time job or more shifts? Administrative Assistant Grossman said the Chief stated to him that his offer was four or five shifts indefinitely. Chairman McDaniel said that she would like to talk to Chief Goyette herself. Sandra Brock again stated she remembered that the Chief used the word "full-time". Selectman Bartolini would like to reverse the decision. Chairman McDaniel would like a compromise.

8:46 p.m. Board VOTED to take a brief recess in order that Chairman McDaniel could telephone Chief Goyette.

9:07 p.m. Board reconvened.

Chairman McDaniel stated that Chief Goyette told her it was his understanding that he had offered additional shifts without any specific commitment to a full-time position, that there was no discussion of full-time, benefits, etc. The Chief wasn't sure whether he offered additional hours and had talked about working something out with Frankie Moore or whether she would have all five. It wasn't clear to him whether Ms. Brock wanted all five shifts. Chairman McDaniel would like to compromise and offer each person whatever number of shifts are open. If it is five, then this would be divided in half to make $2\frac{1}{2}$ shifts apiece plus dividing the time that is available due to sick leaves and vacation times. If a vacancy occurs, there will be more hours available. Chairman McDaniel also said that she can't say that "you don't have a job." She suggests taking what is available and dividing it in half. Selectman Bartolini asked Sandra Brock: "Is two and a half days enough for you?" Sandra: "Not really." Selectman Bartolini said this would be 20 hours for each. Sgt. Colleary asked if both people have benefits. If so, does the town have enough money to cover this? Chairman McDaniel reminded Sandra that she had actually accepted a part-time job and was obviously willing to work at a part-time job or she wouldn't have applied for

it at all. Sandra stated: "When it came along I needed it and I accepted it." Sandra questioned who would have seniority. Nancy had left and now has come back. Selectman Bartolini stated he wasn't interested in the division of the shifts, that he would rather "go the whole route." Chairman McDaniel is only interested in dividing the shifts evenly. Ms. Brock asked: "Do I get first shot at a new opening?" Chairman McDaniel said the Chief feels that both people are equally qualified. Selectman Bartolini said that both people would have equal seniority as Nancy broke her employment. Sgt. Colleary said that Nancy is now on the midnight to eight shift. Chairman McDaniel said that if an opening is available, it would be up to the Chief to make a recommendation. We have to communicate with Nancy to see if she is willing to split the shifts. Chairman McDaniel said she would call Nancy tomorrow.

Selectman Bartolini made a Motion: "I move that the shifts between Dispatcher Nancy Sheppard and Dispatcher Sandra Brock be equally divided by the department head." Motion was seconded by Chairman McDaniel. Unanimously voted (voice vote) as stated in the Motion. Selectman Bartolini asked Sgt. Colleary to make an evaluation on these two dispatchers, and to tell Nancy that Selectman Bartolini will see her in the morning.

9:34 p.m. This meeting ended and the Brocks and Sgt. Colleary left.

Selectmen granted a One-Day Special License to The Parents Association of Fay School, c/o Jean E. Sells, 48 Main Street, Southborough, to sell wine and malt beverages only, to be drunk on the premises at Reinke Building, Middle Road, on Saturday, May 2, 1981 from 6:30 p.m. to 1:00 a.m.

Selectmen granted a thirty day temporary office trailer permit to John Slavin, 155 Boston Road.

STATE LEGISLATURE

Board noted April 8, 1981 Memorandum from the Boylston Board of Selectmen regarding the MDC Legislation Update; Senate Bill #2092. The Senate Urban Affairs Committee has reviewed the legislation favorably and passed it on to the Senate Ways and Means Committee. (This legislation would update the MDC property evaluation to 100% full and fair market value.)

Board noted April 13, 1981 letter from William G. Robinson, Republican Floor Leader, House of Representatives requesting that the Selectmen urge the House and Senate to sponsor the "Better Budget". The "Better Budget" is sponsored by a coalition of legislators. The proposed budget clearly outlines where cuts will be made to generate revenues for local aid.

STATE LEGISLATURE (cont.)

Board noted April 16, 1981 letter from Joseph M. Navin, State Representative regarding House Bill 532; "Connelly-Mullins", Sales Tax Bill. Representative Navin stated that he would give careful consideration to Administrative Assistant Grossman's thoughts and opinions relative to this proposed legislation.

COUNTY ASSESSMENT

Board noted April 10, 1981 letter from Paul X. Tivnan, Chairman, Worcester County Commissioners, re Administrative Assistant Grossman's April 6, 1981 letter as concerns county assessment. Mr. Tivnan advised that the preliminary notice received by the Assessors from the Department of Revenue is merely to be used as a guideline. The County Tax in that instrument will be within the four per cent limit imposed by the provisions of Proposition 2½. The General Court has final say on the County budget and can increase or decrease the individual accounts. ACTION: Administrative Assistant Grossman will write the County back with further concerns not addressed in April 10, 1981 letter.

ZONING BOARD OF APPEALS

Board noted April 6, 1981 letter to the Zoning Board of Appeals from John E. Kissida, Landscape Architect, 5 Rock Point Road, re the ZBA approval of variance for A.J. Lane office complex on Route 9; with very minimal conditions. ATTACHED: Listing of 23 areas of concern (Preliminary Site Plan Review).

ZBA held a public hearing on Monday, April 6, 1981 at 7:30 p.m. with regard to a petition for a variance from Section IV of the Zoning-By-Law, "Use Regulations". The petitioner, Robert J. Hamilton, desires to conduct firewood cutting and processing for delivery and sale on property located on Pearl Street (Assessors' Map 3 Parcel 2D); Residential B District. Owner of Record: Robert J. and Sheila A. Hamilton, 31 Highland Street, Southborough. Based on but not limited to the evidence presented, the Board of Appeals voted unanimously to deny the variance.

NOTE: See original file: Highland Street/Woodcutting operation.

CONTRACTS/BIDS

Board noted April 16, 1981 letter to Town Counsel Frederick Busconi from Administrative Assistant Grossman re: Superior Court No. 81-1812, E. C. Murray Construction Company, Inc. vs. Town of Southborough; requesting that Town Counsel answer the above complaint. (Appeared Tuesday, April 21, 1981 to answer the above complaint)

NOTE: Re: Award to E. C. Murray Const. Co., Inc. (October 7, 1980) of contract for Bituminous Concrete Top (In Place) and Bituminous Concrete Binder (In Place) as per October 7, 1980 Bid.

TOWN DEPARTMENTS

Board noted April 13, 1981 letter to Andrew J. Lane, A. J. Lane & Company, 1500 Worcester Road, Framingham, MA 01701 from Charles B. Swartwood, III, Mountain, Dearborn & Whiting, Counselors at Law, stating that Town Counsel Frederick A. Busconi asked whether or not Mr. Lane would be willing to grant an easement to the Town for surface water drainage from Stow Road over his property abutting the easterly side at or near the intersection of Sears Road and Stow Road.

ACTION: Administrative Assistant Grossman to find out where the water will go. If it will affect any of the abutters. Building Inspector said Highway Supt. Boland is comfortable with this.

APPOINTMENTS/RESIGNATIONS

PRESS RELEASE: The Board of Selectmen has announced that there are no candidates to fill the unexpired term of Herbert L. Cobb on the Assabet Valley Regional Vocational School District Committee. Anyone interested in filling this position should notify the Board in writing before May 5, 1981.

Board noted April 16, 1981 Memo from Marjorie R. Putnam, Secretary to the Board of Selectmen stating that the School Committee would appreciate a letter from the Board as concerns Dr. Robert W. Spayne, who is not seeking reelection to the School Committee; after having served two terms.

DEPARTMENT OF REVENUE

Board noted April 13, 1981 letter from L. Joyce Hampers, Commissioner of Revenue, Department of Revenue, Boston 02204 stating that the Department's Bureau of Local Assessment has prepared guidelines to aid assessors in entering into an agreement to share an assistant assessor. Cooperative Agreements between two or more communities are authorized by Chapter 797 of the Acts of 1979.

COMMENDATION

Police Department - Board noted April 18, 1981 letters to Regular Officer Richard L. Mattioli and Reserve Officer Paul R. Nelson, 11 Prentiss Street from Sgt. Colleary, Officer in Charge commending the two officers for solving the recent rash of house breaks in the town and the apprehension of the perpetrators.

LICENSES/PERMITS

Board noted April 21, 1981 letter received from Michael Cole/Paul Daley, re a cross town race for Leukemia. The two youths requested the approval of the Board as concerns the above subject matter and the Board's assistance in developing ideas for collecting the money for the race. ACTION: Refer to Recreation Commission who will contact the youths.

COUNTY RETIREMENT SYSTEM

Meeting Notice: Between the Worcester County Retirement System/Area Public Employees; to be held at Algonquin Regional High School on Monday, May 4, 1981 at 7:30 p.m. ACTION: Selectman McAuliffe will attend.

CONSERVATION COMMISSION

Determination of Applicability of the Wetland Protection Act, G.L. C.131 s 40, to: 1) Thomas A. and Anne T. Emma, 13 Foley Drive and
2) Larry S. and Eileen Samberg, 7 Granuaile Road


The Conservation Commission considered the requests and made its determination. Decision of the Conservation Commission:

- 1) Notice of Intent not required.
- 2) Area is not subject to Hatch Act.

Selectmen signed Treasury Warrants as follows:

TW 47	in the amount of \$	98.23	(REVENUE SHARING)
TW 187	in the amount of \$	40,000.00	
TW 188	in the amount of \$	94,297.09	
TW 189	in the amount of \$	6,278.10	
TW 190	in the amount of \$	38,203.46	

10:30 p.m. VOTED to adjourn the meeting.


.....
Marjorie R. Putnam, Secretary

mrp/dp

NOTE: No meeting of the Board of Selectmen was held on April 14, 1981; however, the following Treasury Warrants were signed:

TW 45	in the amount of \$	94.12	(REVENUE SHARING)
TW 46	in the amount of \$	26,942.99	(REVENUE SHARING)
TW 183	in the amount of \$	18,474.22	
TW 184	in the amount of \$	310,882.62	
TW 185	in the amount of \$	27,798.23	
TW 186	in the amount of \$	75,689.92	

MINUTES OF MEETING
BOARD OF SELECTMEN

April 28, 1981

Present: Chairman Donna L. McDaniel, Selectman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie A. Putnam, and members of the press.

7:32 P.m. Site Plan Hearing was held on application of Vernelle Cibelli proposing to open a second-hand furniture shop in her garage located on 76 Newton

7:38 P.m. Street (Lot B). Mr. and Mrs. Cibelli were present. Mrs. Cibelli stated that her proposed hours will be from 10 a.m. to 5 p.m. on Saturdays and from 1 p.m. to 5 p.m. Tuesday through Friday. She plans on a small sign on the outside. She plans to open on May 16. Mrs. Cibelli presented certified receipts of her notice to abutters. Building Inspector Phaneuf stated that he had no objection to the plan. David Scattergood of the Planning Board stated that his Board had no objection to the Plan. April 23 letter of the Board of Health approved this Site Plan. No other Board or abutter objected to this Plan. Therefore, Selectman McAuliffe made a Motion that the Site Plan be approved as submitted by Mrs. Cibelli on 4/28/81. Motion was seconded by Selectman Bartolini and unanimously VOTED (voice vote) by the Board of Selectmen.

7:38 p.m. Donald Dezarn of 92 Oak Hill Road questioned the Selectmen regarding Police to Chief Goyette and the hiring process of the police chief position. He 7:48 p.m. asked if a physical examination was required or mandated before a person is hired or appointed to this position. Selectmen answered in the affirmative. Mr. Dezarn then questioned why did not Chief Goyette have a physical.

Chairman McDaniel stated that a physical was scheduled, that a number of appointments were made due to cancellation of the original appointment. Chairman McDaniel said she was surprised to learn that he did not have a physical. She assumed that it had been completed. It was an oversight of the Board of Selectmen. Chief Goyette began the job and physical did not take place. It was not done intentionally. The Board just did not check that it had taken place. Selectmen Bartolini stated that the Board simply assumed that the physical had been completed. This will not happen again. Mr. Dezarn asked if the Town is liable for Chief Goyette's pension. Chairman McDaniel explained that the Worcester County Retirement System will cover the cost. He is just one member of the entire County System and he is entitled to apply. The Town contributes a percentage to the overall County cost. Mr. Dezarn asked if the Town intended to follow-up to see if it is reasonable or not. Chairman McDaniel stated that Chief Goyette has to apply to the Worcester Retirement Board, that Chief Goyette has to be examined by a Medical Board comprised of three doctors - one doctor chosen by the Retirement Board, one doctor of his own choice and one doctor by the State Insurance Board. The Board intends to keep very close track of this matter. Chairman McDaniel then read a Press Release which stated that Police Chief Goyette has informed the Board that he intends, during the latter part of the week of April 27, to file his disability retirement papers with the Worcester County Retirement System. The medical diagnostic reports and opinions from the Chief's personal physician and and from the Hypertension Clinic of the New England Medical Center Hospital agree that (1) the chief is suffering from severe hypertension and (2) the Chief's hypertension is job related.

7:49 p.m. Town Clerk Paul J. Berry asked the Board to draw two jurors for the Traverse Jury in Worcester. Chairman McDaniel drew the names of:
(1) Charles E. Forand, 13 Ted Lane; and (2) Charlotte M. Wians,
207 Cordaville Road.

8:00 p.m. Site Plan Hearing was held on application of Frances J. Dzierzeski proposing a gift/antique/collectible and related items shoppe at her residence at 10 Main Street. Mr. and Mrs. Dzierzeski were present. Mrs. Dzierzeski presented certified receipts to the Selectmen proving that her abutters were notified of this hearing. She explained that her shop will be open Tuesday through Friday from 10 a.m. to 2 p.m. and on Saturday from 10 a.m to 4 p.m. Board of Health letter dated April 23 was noted by the Board approving this site plan and stated that the "related items" in the proposal should not include food. There were no objections from abutters. Building Inspector Edgar Phaneuf was present and had no objection to the site plan. Selectman McAuliffe made a Motion that the Site Plan be approved as submitted April 28, 1981. Motion was seconded by Selectman Bartolini and unanimously VOTED (by voice vote) by the Board of Selectmen.

Selectmen signed two Applications for Enrollment in a Police Recruit Training Program for Officer William H. Webber and Officer Joseph F. Deignan III.

Chairman McDaniel brought up the matter about possible fees to be charged by the Town in relation to Permits to Open Town Roads. Selectmen agreed that this matter should be pursued.

Selectman McAuliffe asked for a report on last week's meeting regarding the State's decision to close the crossover on Rt. 9 at the intersection of White Bagley and Break Neck Hill Roads. This meeting took place on Wednesday, April 22, at the Town Hall with Motor Vehicle Registry Supervisor of Accident Investigation Robert F. Gallagher. Chairman McDaniel and Selectman Bartolini attended this meeting. The Boston Department of Public Works had conducted an independent survey of this area due to the last fatality at this intersection and a request from Attorney John Quirk, a relative of someone who was killed at this intersection recently. At the meeting Mr. Gallagher presented a number of statistics of this and other crossovers in Town. Before this meeting the DPW had already made the decision to close this crossover. According to the DPW the volume of traffic and the cost did not justify the cost of a traffic light at this intersection as there are traffic lights just down the street for turning to go in the opposite direction. He knew that the majority of the Board of Selectmen were opposed to closing this section and the DPW knew that the Town was opposed to it. They gave this consideration but still made the decision to close this intersection. Selectman Bartolini stated that no one had contacted the Board before this meeting, the recommendation and decision to close this crossover was made before the meeting even started. The Board agrees that this is a dangerous crossover but the DPW promised no decision would be made until a public meeting was held with this Board. The Board should have been given options rather than just to close this intersection. Selectman McAuliffe suggested that the Board take action to voice the Selectmen's deep concerns about the closing of this intersection. Selectmen brought out the fact that Rt. 85 is the only way to cross over Rt. 9, that Southborough should have an opportunity to travel over Rt. 9 safely

and that Rt. 9 is heavily travelled. It is far more sensible to have a traffic light at the intersections of Middle Road and White Bagley/Break Neck Hill Road than to close the intersections. Selectman McAuliffe made a motion, seconded by Selectman Bartolini to request that the State install traffic control signals at the intersections of Rt. 9 and White Bagley/Break Neck Hill Roads and at Rt. 9 and Middle Road. This Motion passed by a two to one VOTE: Selectman Bartolini and Selectman McAuliffe voting for and Chairman McDaniel voting against.

Selectman McAuliffe informed the Board that Building Inspector Edgar Phaneuf had contacted the John Bartolini family and indicated to Mr. Phaneuf that once again the problem will be resolved "soon" as to the removal of Mr. Bartolini's construction equipment from the Foley Drive area. Selectman McAuliffe asked that this be checked out to see that this is done as soon as promised.

8:41 p.m. Public Hearing was held under G.L. Chapter 138 and under Chapter 16 of the Acts of 1981, on application of William Mauro d/b/a Mauro's Market, 4 Main Street, for a Retail Package Goods Store/All Alcoholic Beverages License. Mr. Mauro presented certified receipts to the Board. Mr. Mauro said his store will remain the same, this is just an added line. (Mr. Mauro is presently holding a Package Goods Store/Wine & Malt Beverage License). He will continue to remain open from 8:30 a.m. to 9 p.m. five days a week and from 8 a.m. to 8 p.m. on Saturdays. Sunday he sells no liquor. There were no objections from abutters. Therefore, Selectman McAuliffe made a Motion, seconded by Selectman Bartolini that the Board grant, subject to approval by the Alcoholic Beverage Control Commission, a Package Goods License for the sale of all alcoholic beverages to William Mauro d/b/a/ Mauro's Market. This Motion passed by a unanimous voice VOTE of the Board of Selectmen. The Selectmen explained to Mr. Mauro that 90 days have to pass from the date that the Governor signed the Bill approving this license, March 10, 1981, the 90th day being around June 9, 1981.

Metropolitan Area Planning Council (MAPC)

Board noted April 21, 1981 letter from Robert Costello, Metropolitan Area Planning Council, 44 School Street, Boston, Ma 02108, enclosing a set of guidelines for physical improvements to Southborough Center (in the format of a poster).

Action: Send them a letter thanking them.

Town Boards

Board noted April 2, 1981 letter to the Board of Health from Septage Task Force, c/o Steve Roy DEQE, OPPM, 1 Winter Street, Boston, Ma 2108, Re: Septage Management in Massachusetts' Towns. The Septage Task Force is interested in hearing about each community's problems and/or solutions now. Please respond by expressing your views and experiences on this subject by May 8, 1981 to the above address.

State Department of Public Works

Board noted April 27, 1981 letter from Henry C. Holmes, P.E., District Highway Engineer, Department of Public Works, Worcester, Ma Re: Program to install "Do Not Pass" and "No Passing Zone" signs on the Numbered Route System in Commonwealth.

The Installation of the "No Passing Zone" and "Do Not Pass" signing that began last year will continue this year on the numbered route system.

Fayville Playground

Board noted April 28, 1981 postcard from Greg Supernovich, P.O. Box 363 Fayville.

Mr. Supernovich thanked the Board and the Administrative Assistant for having the basketball hoops at the Fayville Playground fixed; thereby allowing he and others to use the facility once again.

Selectmen signed Treasury Warrants as follows:

TW # 29	in the amount of \$	94.68	CETA Title IV YCCIP
TW # 191	in the amount of \$	20,506.50	
TW # 192	in the amount of \$	118,695.61	
TW # 193	in the amount of \$	183,000.00	
TW # 194	in the amount of \$	15,626.48	
TW # 195	in the amount of \$	12,609.17	

8:57 p.m. VOTED to adjourn this meeting.


.....
Marjorie R. Putnam, Secretary

mrp/mm

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, May 5, 1981

Hearing Room

7:35 p.m. Present: Chairman Donna L. McDaniel, Sel. Louis J. Bartolini, Sel. Thomas W. McAuliffe, Adm. Ass't Jeffrey Grossman, Secretary Marjorie Putnam, Town Counsel Frederick A. Busconi, Building Inspector Edgar Phaneuf, Jr., members of the press, and interested citizens.

7:35 p.m. Site Plan Hearing was held on the application of Hendrie's to Frozen Foods, Inc., 1 Harvest Lane, regarding proposed

7:53 p.m. expansion of its parking area on Harvest Lane. Present for Hendries: David Rice, Vice President and General Manager; and Richard B. Crowley, Chief Engineer. Cert. receipts were presented proving abutters had been notified of this hearing. Mr. Crowley explained that this plan proposes to add 100 more parking spaces for employees. It expands the employees parking lot only. This consolidates the employees parking facilities from a security and safety standpoint. Trucks will now be at one end of the building and passenger cars at the other end of the building. At present there is only about 89 parking spaces for the employees. Business has grown and Hendries has increased their staff by approximately 50 employees. This expansion is not near the Boston Road side; it is near the Fantony property which was purchased a few years ago; expansion is towards the railroad tracks. Hendries does not plan to move this house. Planning Board member James B. Denman had no objection to the plan. Board of Health letter of April 23 approved this proposal. Ch. McDaniel noted that Hendries had received Order of Conditions under the Wetland Protection Act dated April 28, 1981 issued by the Southborough Conservation Commission. (Hatch Act Hearing held on April 15, 1981.) Several abutters were present and questioned representatives of Hendries as to its intention to abate the noise level. The abutters stated that this is a continuing problem and has been for many years. It is worse in the summertime. The former General Manager, Mr. Mercier, had a study done by Arthur D. Little, Inc. and the noise did abate for a couple of months. According to Mr. John Baveri, an abutter, Hendries had promised the abutters that trucks would not use the first seven or eight doors. Mr. Rice, the present General Manager, said he knew nothing of these promises, but would review the file and see what can be done about the current noise level. John Baveri said that the noise level was part of the original permit. Mr. Baveri said that the trucks "rev up all night long in hot weather". Chairman McDaniel said that the noise level problem is not part of this site plan hearing and will be handled separately. As there was no more discussion, Sel. McAuliffe made a Motion, seconded by Sel. Bartolini, and unanimously VOTED (voice vote) to approve the Site Plan as submitted to the Board of Selectmen on May 5, 1981 by Hendrie's Frozen Foods, Inc.

7:55 p.m. At this time the Board discussed the hypertension case of
to Chief of Police Robert A. Goyette. Ch. McDaniel read, in
8:08 p.m. its entirety, May 5, 1981 opinion of Town Counsel
Frederick A. Busconi. To summarize, the Town can refuse
to pay the Chief's salary after his sick and vacation time is ex-
pended (under Chapter 41, Section 111F). The Board must decide whether
or not the Chief's injury was sustained in the performance of his duty
without fault of his own. If the Board finds, on the basis of the
medical reports, etc., "that the Chief's injury is not causally re-
lated to his duty, then the Board can refuse payment." Present were:
Town Counsel Frederick A. Busconi and William J. Colleary, Jr., Sgt.,
Officer-in-Charge of the Police Department during Chief Goyette's
absence. After a brief discussion, Selectman McAuliffe made a
statement and a Motion, seconded by Sel. Bartolini, as follows: "I
believe that on the basis of the medical reports and all other material,
facts and circumstances, that the Chief's injury is not causally
related to his duty and therefore, I move that the Chief of Police
Robert A. Goyette be given a leave of absence without pay commencing
May 3, 1981 and continuing until the Board has a judicial determination
of the Chief's status under Chapter 41, Section 111F." Sel. McAuliffe
stated that he found no fault with the diagnosis by the doctors as
far as the Chief's medical condition, but does take issue with the
fact that it is saying that the condition is as a result of his employ-
ment as Chief of Police in the Town of Southborough. Sel. McAuliffe
takes issue with that diagnosis. He does not believe that is the case.
Sel. Bartolini: "I agree." Questions were asked by Donald Dezarn,
92 Oak Hill Road, Fayville, regarding the Town's requirement for the
Chief to have a physical prior to his starting his job as Chief. Ch.
McDaniel explained that the appointment was made to appoint him on
the understanding that he would take a physical which was required by
the application that he signed. The appointment was made for him in
the interim of when he was appointed and the date he was to begin
employment. He was appointed November 6, 1979 and began employment
on December 1, 1979. Mr. Dezarn said that in business you cannot
start a job until you have taken a physical. Sel. McAuliffe said
that the Chief on two occasions was scheduled to take said physical
but that the Chief cancelled both of the scheduled appointments.
Mr. Dezarn questioned as to who was supposed to followup on this
matter. Ch. McDaniel stated that the Board should have followed up
on this matter. Mr. Dezarn expressed a desire to participate in
future interviews regarding the hiring of a new Police Chief. Sel.
McAuliffe informed him that all police department interviews are
open to the public. The public never attends. If a delicate subject
is brought up at an interview session, the Board can at that time go
into Executive Session. When the patrolmen were interviewed just
recently, only one person sat in on the interviews. Sel. McAuliffe
explained that the vote tonight has nothing to do with his Worcester
County Retirement. At this point, it was unanimously VOTED (voice
vote) as stated in Sel. McAuliffe's Motion. Another question: How much
will Chief Goyette be receiving if his disability pension is approved?
Answer: 72% of his base pay. His base pay is \$24,700/year.

8:12 p.m. Meeting was held with department heads: Highway Supt. to John Boland, Fire Chief Edward Brock, and Police Sgt.

9:10 p.m. William J. Colleary, Jr., Officer-in-Charge. This meeting was held to discuss problems raised at the Site Plan Hearings of January 6 and 13, 1981 of A. J. Lane who proposes to build an office building at 225 Turnpike Road at the corner of Parkerville Road north. Several abutters and concerned citizens were present. Chairman McDaniel explained that the major concern of the site plan hearing was traffic and how this would affect Parkerville Rd./Rt. 9 area. The State has been approached asking for an impact study on Rt. 9 in general due to all the newly proposed developments along Rt. 9 in Southborough and Westborough. Fire Chief Brock said that based on traffic, the Fire Department has no problem. However, some of the proposed parking spaces will be lost due to fire hydrants being placed. Selectmen asked Sgt. Colleary if it would be feasible to make Parkerville Rd. one way from Rt. 9 to General Henry Knox Rd. between certain hours of the day. Sgt. Colleary replied that it would affect the Andrea Restaurant. This would have to be investigated. Fred Douglas, abutter at 166 Middle Road, suggested perhaps a "No Right Turn onto Rt. 9" during certain hours might help. Sgt. Colleary said it is hard to estimate which way the traffic will flow until the employees are hired and you find out where they live. Sel. Bartolini stated he would like to see a traffic count done of existing commuter traffic, would like an estimate of the impact on the downtown area to interpolate people's needs. A market analysis should be obtained from Andy Lane on the people he will be hiring. That could be interpolated. Fred Douglas stated that he is technically qualified and he had made a market survey which he had offered at the last site plan hearing. Sel. Bartolini stated that the State wants to close three intersections in Southborough: Middle Road, Break Neck Hill Road and Woodland Road. Town should look into how much traffic lights would cost. Rt. 9 dissects Southborough. A long term outlook should be made of our community of ten years from now. Sel. Bartolini would like someone from the Commonwealth to deal with Southborough in its entirety. Abutter Alex Hill, 156 Middle Road, would like a traffic study done on a long-term outlook basis. Abutter Joseph E. Green, 2 John Matthews Road, suggested that perhaps the study should encompass the Rt. 9 area from Framingham to Worcester. Ch. McDaniel stated that we are part of a study being done on Rt. 9 and it is a large study. Public Hearings will be held and the Southborough Selectmen will receive copies of the notices and any reports. Selectmen agree that Southborough should study this problem before the State finalizes its plans and that perhaps a Town committee should be formed to get ahead of the State. Sel. McAuliffe then made a Motion, seconded by Sel. Bartolini and unanimously VOTED (by voice vote) that a committee be appointed with Louis J. Bartolini as Chairman of the Committee to study the impact of development on Rt. 9 and to report back to the Board with its findings within a reasonable time to be determined by the Committee. Several abutters volunteered to be on the committee and left their names with Sel. Bartolini: Alex Hill, Fred Douglas, and Joe Green. These will be considered for appointment at the meeting of the Board of Selectmen on May 12, 1981. Ch. McDaniel said the Board will address the twenty-three points listed in John E. Kissida's 4/6/81 letter at the reconvened Site Plan Hearing of A. J. Lane. No date has been set for the reconvened hearing.

9:11 p.m. Site Plan Hearing was held on the application of Dennis to Marguerite and Emilio Mezzone proposing to convert a

9:39 p.m. single-family dwelling into an office building at 30 Turnpike Road, Fayville. They want to lease this

building. Someone is interested in a real estate office downstairs and upstairs in the selling of such items as wallpaper, light fixtures, etc. The proposed warehouse would be to store supplies for what is sold in the existing building. Town Counsel Busconi stated that under the Zoning By-Law for that district, the warehouse has to be specifically an accessory use for the main building, to be used only for whatever is going to be sold. Storage has to be connected to what is going to be sold by the business in the main building. Warehouses are not allowed in that district unless they are going to be used for the business that is there. Sel. Bartolini suggested that unless Mr. Marguerite has a specific use, perhaps he should apply to the Zoning Board of Appeals for a variance for a warehouse. The two buildings have to be connected. He would have to make sure that each tenant complied with the Zoning By-Law. Selectmen stated that Mr. Marguerite should clarify the use of the warehouse in conjunction with the Building in front. If you propose to sell wallpaper, this is not related to the real estate business. A firm commitment is needed as to what is going to be done with the main building. May 5 letter from the Board of Health stated it had on file a plan for a new subsurface septic system. The plan is being reviewed by the Sanitary Inspector and will be acted on as soon as possible. May 5 letter from the Water Dept. stating that the original house was serviced by a 3/4 inch service pipe. This might be adequate to service an office building as described, but not an office building and warehouse. May 5 letter from Conservation Commission determined that the site is not applicable to Chapter 131, Section 40, of the General Laws (Hatch Act) but recommended two conditions regarding drainage ditch or some type of drainage system to be placed on the westerly side of the driveway. Highway Supt. Boland said he was concerned with the lack of any on-site drainage. That is a major problem in that area. A thorough review of the drainage is needed. There is a seasonal brook that runs in the rear of the property that must continue to run the way it does now. Mr. Marguerite stated that he has no intention of touching said brook. He just wants to drain the parking lot. He intends to hot top only on the left side of the building. Wants to tie into a catch basin on Rt. 9. He plans to contact the State re this tie-in. Abutter Walter J. White expressed his concern re drainage as at one time this brook caused icing problems on Rt. 9. The problem was corrected and as long as the brook continues running the way it does now, it does not cause any problems to Rt. 9 nor neighboring properties. Building Inspector Phaneuf stated that his concerns were the usage of the proposed warehouse building and the drainage. Abutter Denson Satterfield stated his concerns were the same as those stated by Highway Supt. Boland, that before any more structures are added to this property, drainage had to be carefully studied so as to not bring back the problem that was there before that caused so many accidents due to icing from the runoff of that property. Mr. Marguerite stated he wasn't aware of the zoning/warehouse problem and said he wished to have this Hearing continued at a later date in order to give him time to resolve these concerns. At this time, Sel.

McAuliffe made a Motion, seconded by Sel. Bartolini and unanimously VOTED (by voice vote) that this Hearing be continued until such time as the applicants wish to schedule another date. Selectmen directed that a letter is to be sent to Mr. Marguerite and Mr. Mezzzone incorporating above vote; enclosing a copy of the May 5 letters from the Board of Health, Water Dept. and the Conservation Commission; and asking them to address the concerns stated at this hearing such as (1) the specific use of the principle building and the proposed warehouse, (2) proposed on-site drainage plan(s), and (3) water pipe service connection.

Ch. McDaniel read Treasurer/Collector Ruth C. Johnson's April 30 letter in which she resigned from this position to become effective July 1, 1981. Mrs. Johnson has enrolled at the Control Data Institute of Burlington for courses in computer programming, a growing field of high technology which is attractive to her. Sel. McAuliffe expressed the Board's regret upon learning of Mrs. Johnson's resignation and "reluctantly" made a Motion to accept her resignation. The Board told Mrs. Johnson that she had done an outstanding job for the Town and is a credit to the Town of Southborough. Selectmen VOTED unanimously (voice vote) to accept Mrs. Johnson's resignation. Sel. McAuliffe stated he would like to explore the possibility of an in-house appointment. He wants to give the people who work for the Town of Southborough the opportunity to apply for the position. If the Board cannot find an acceptable candidate, then it can go outside. Sel. Bartolini suggested waiting until next Tuesday when a new Selectman will be with them before deciding on this matter. Selectmen agreed to wait until the May 12 meeting to bring this matter up.

Sel. McAuliffe brought up the matter of Senate Bill No. 151 pertaining to changing the law that applies to second-hand vehicles. This Bill would eliminate the guarantee that goes with the selling of second-hand vehicles and they could be then sold "as is". Board VOTED unanimously (voice vote) to instruct Admin. Ass't to contact Senator Daniel Foley requesting him to vote against the passage of this Bill.

Sel. McAuliffe again brought up the continuing problem with getting John Bartolini to remove his construction equipment from his Foley Drive property. This matter is still unresolved and has remained unresolved for over twelve months of continuous contact with Mr. Bartolini and/or his family. The neighbors consider this a safety hazard. In February Mr. Bartolini said this matter would be corrected by March 17, 1981. When pressing Mr. Bartolini, after March 17, for a firm date when this construction would be removed from the Foley Drive property, Mr. Bartolini stated "March 21, 1982". As this date is unacceptable to Sel. McAuliffe, he made a Motion that the Board have the Town Counsel review the situation and if in fact it constitutes a safety hazard, that the Board instruct the Town Counsel to institute legal action to correct this situation as quickly as possible. This Motion was seconded by Sel. Louis Bartolini but he did not participate in the voting of this Motion. The Motion passed

as follows: In favor: Sel. McAuliffe and Ch. McDaniel. Abstained:
Sel. Louis J. Bartolini.

Mr. William Linnell, 1 Maplecrest Drive, again asked about a barrier to be placed on Framingham Road to prevent cars from entering his property. Highway Supt. Boland said he was trying to get prices for two types of barriers. The one that is cheaper is hard to find a supplier of (concrete posts - out of date). The steel beam guard bumper rail costs around \$2,000 to install. Mr. Boland will continue on solving this problem and will keep in touch with Mr. Linnell and the Board.

* Correspondence noted and acted upon.

10:53 p.m. At this time a cake was brought into the Hearing Room by Marjorie McAuliffe in honor of this meeting being Chairman McDaniel's last official meeting. All present were invited to stay for coffee and cake. The Selectmen's meeting was unanimously VOTED as adjourned at this time.

*

TOWN DEPARTMENTS

Highway Dept. Findings of Fact, Rulings of Law and Order for Judgment: Superior Court Civil Action No. 81-1812; E. C. Murray Construction Company v. Town of Southborough. (This is a suit for specific performance brought by E. C. Murray Constr. Co., Inc. against the Town requesting that the Town be ordered to honor and comply with the terms of a purchase order issued 1/13/81.) ORDERED AND ADJUDGED: That the prayers sought in paragraphs one and two are hereby denied and the complaint is hereby dismissed. Dated at Marlboro 4/30/81.

Accounting Dept. 4/28/81 letter from Harvey J. Beth, Director of Accounts, Dept. of Revenue, Boston 02214. Mr. Beth acknowledged Admin. Ass't Grossman's request to participate in the "Uniform Municipal Accounting System" (UMAS) improvement program which is in the first year of implementation. This project is designed to address the need for improved, timely, and standardized financial accounting and reporting. If we volunteer to be in the pilot program, we will receive free assistance from the Bureau of Accounts.

APPOINTMENTS/RESIGNATIONS

4/29/81 letter to Town Clerk Paul Berry from Conservation Comm. Secretary Joan A. Ferretti. At the Commission's 4/28/81 meeting Brian C. Mauro was appointed as Chairman for the 1981-1982 year.

STATE LEGISLATURE

5/1/81 letters to Representative Joseph Navin and Senator Daniel Foley re: Worcester Co. Budget and House Bill No. 4204. The Board of Selectmen requests the support of Rep. Navin and Sen. Foley as concerns the aforementioned legislation.

TOWN BOARDS/TOWN COMMISSIONS

5/1/81 letter to Board of Assessors from Edward J. Collins, Jr., Deputy Commissioner, Div. of Local Services, Dept. of Revenue, which enclosed Fiscal 1982 Tax Levy Limitation.

4/21/81 letter from Massachusetts Selectmen's Association, Boston 02111. The deadline for the submission of Articles for the 1981 Statewide Town Meeting Warrant (to be submitted to MMA) will be Monday, July 31, 1981.

4/23/81 letter from Marlborough-Westborough Community Mental Health Clinic, 57 Union St., Marlborough. The Mental Health Assoc. has recently formed a Speaker's Bureau whereby staff members are available to make a presentation to an organization. Enclosed: Listing of topics and speakers.

4/29/81 notification of meeting to be held at the N.E. Tel. Learning Center, 280 Locke Dr., Marlborough, Thurs., 5/21/81 at 6 pm. NET is presently in the midst of a major project in the Southborough area. The C.E.V. (Controlled Environment Vault) is the latest in electronic technology being utilized by NET. Using this vault and a digital carrier system, the capacity of cable can be multiplied by almost ten.

ZONING BOARD OF APPEALS


Public Hearings: (1) 5/19/81 at 7:30p.m., Town House Hearing Room, re petition of James M. and Delia A. Mulvaney, 30 Jericho Hill Rd., to construct a pond for agricultural purposes, (Sect. VII-A, 8c.); Zoning District Res.A.; and (2) 5/19/81 at 8:15 p.m., Town House Hearing Room, re petition to request a release from the terms of the variance dated 11/17/78 for property located off Deerfoot Rd. south of Rt. 9 (Assessors' Map 18, Lot 1) and owned by John Bartolini, 41 Deerfoot Rd.; Zoning District Res. A.

WORC. CO. RETIREMENT SYSTEM

Re: County retirement assessments. Enclosed, a letter dated 4/27/81 from Comm. of Mass., Div. of Insurance, stating that the Div. of Ins. takes the position that monies requested by County Retirement System is in the form of appropriation and not an assessment subject to Proposition 2½ or any other limits imposed.

Selectmen signed Treasury Warrants as follows:

Revenue Sharing #48	\$2,286.05
TW #196	\$150,000.00
TW #197	\$ 97,385.60
TW #198	\$425,533.76
TW #199	\$ 9,006.40


Marjorie R. Putnam
Secretary

mrp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, May 12, 1981
Hearing Room

7:30 p.m. Present: Selectman Louis J. Bartolini, Selectman Thomas W. McAuliffe, and newly elected Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, and members of the press.

Sel. McAuliffe made a Motion that Sel. Louis J. Bartolini be appointed as Chairman of the Board of Selectmen for a period of one year. Motion was seconded by Sel. Cipriano and VOTED by a unanimous voice vote.

7:32 p.m. Meeting with Wayne "Rocky" Wellman regarding his application to
to tion for a Taxi License in the Town of Southborough. Mr.
7:50 p.m. Wellman explained that he applied for this license as
Southborough does not have a taxi service and believes it could use one. He would like to serve industries such as Data General. Mr. Wellman gave the Selectmen a brief statement of his background in this field. He lives at 258 Turnpike Rd. (near the Andrea Restaurant) and his "taxi" would be garaged at that address. There is only a pay telephone (481-9649) at this address where someone could call for taxi service. He might get an electronic beeper service. If someone were to call while he was out on the road, the message would be placed on an answering service device he would have placed on his telephone. He said he didn't have a lot of money, was presently working at Bullwinkle's Pub in Fayville, and wanted to start up his own business. His vehicle is a 1970 Plymouth Satellite 4-door sedan. He might use a CB radio which is available and which he could use if the Selectmen approved its use for this purpose. In some municipalities they are not registered with the FCC. Some taxi companies use CB radios. Mr. Wellman said that, although his car is not brand new and has a "few dents", it is in good condition; it drives all right, and is comfortable to ride in. When questioned about his previous employment, Mr. Wellman stated that he worked for ACA Taxi Co. in Boston last year. The company is now bankrupt. He also worked for Majestic Taxi of Watertown as a Manager. He has had five years of experience in the taxi business; he started as a taxi driver. His former employer, ACA Taxi Co., was involved in a fraud case; the Governor pulled his Medallion, and so Mr. Wellman lost his job. Mr. Wellman said he was not involved in the fraud, that he just worked there. Selectmen asked Mr. Wellman if he could present any documentation for the need of a taxi service in Southborough. Mr. Wellman could present none. Selectman McAuliffe then made a Motion that Mr. Wellman's request to operate a taxi service in the Town of Southborough be DENIED as no need has been established for same. Motion was seconded by Sel. Cipriano and VOTED by a unanimous voice vote. Mr. Wellman at this point questioned how would he establish a need. Sel. McAuliffe said he should show that there is a real need that industries in this Town are unable to obtain service from other companies located in the area.

8:00 p.m. Site Plan Hearing was held on the application of Howard
to Hanson, 50 Atwood St., Southborough, on his request to
8:06 p.m. convert a dry good store to office space at 21 Boston Rd.

Mr. Hanson presented certified receipts to the Board proving that abutters had been notified of this Hearing. Mr. Hanson then gave a brief presentation of his future plans. He plans to buy and sell computer equipment. One-third of the building will be office space and the other two-thirds will be warehouse space. He plans to have 5 to 7 people working there. A member of the Planning Board, Fred Ellis, was asked to comment on this site plan. Mr. Ellis stated that he has just received his copy. He then reviewed said SitePlan and asked about parking spaces. Mr. Hanson stated that there is room for fourteen cars. Mr. Ellis was satisfied with that statement and had no objection to the Site Plan. Mr. Hanson said that he did not own the building but that a new septic system had been installed recently and approved by the Board of Health. No abutters presented any objections. Selectman McAuliffe made a Motion that this Site Plan be approved as submitted on May 12, 1981. Motion was seconded by Sel. Cipriano and VOTED by a unanimous voice vote of the Board.

8:30 p.m. Pole Hearing was held on the petition of Massachusetts to Electric Co. requesting one pole on Woodland Rd. located
8:32 p.m. "beginning at existing pole #48 Woodland Rd. then extending 142 ft. northeasterly to pole #47 Woodland Rd."- for circuit improvement. A field engineer from Mass. Elec. Co. was present and explained that this request is to improve power to new houses on Oregon Rd. from a low voltage of 2,400 to a higher voltage of 8,000. Only abutter, Mass. Turnpike Authority, did not present any objection, and no representative was present. Sel. McAuliffe made a Motion to grant this petition. Sel. Cipriano seconded the Motion and it was VOTED by a unanimous voice vote.

8:33 p.m. Mr. Donald Dezarn of Oak Hill Rd. again questioned the to Board regarding the Police Dept.'s application form, particularly the section that the appointment is conditional on successful completion of a physical examination and that the appointment will not become effective until applicant has done so. Mr. Dezarn asked if a waiver had been signed by both parties that Chief Goyette did not have a physical. Chairman Bartolini replied that the Board does not wish to discuss this matter as there is a case in the Superior Court. In answer to Mr. Dezarn's question as to whether or not it would be possible to get the medical records of Police Chief Goyette's prior employment. Sel. Cipriano stated that as part of the litigation, it may be possible to obtain prior medical records.

CORRESPONDENCE

TOWN BOARD

Conservation Commission

Board noted there will be a Public Hearing Tuesday, May 19, 1981 in the General Office, Town House. Applicant, D.K. Associates, 14 Main Street proposes to construct a three floor office building at 200 Turnpike Rd. with accessway and paved parking lot within 100 ft. of a wetland.

LICENSES/PERMITS

Selectmen unanimously VOTED to allow Southborough Players, Inc. c/o Marina A. Kinchla, Producer, to place its sign advertising its play, Fiddler on the Roof, on land near the corner of Rt. 30 (Boston Rd.) and Framingham Rd. from the period of June 5 through 28, 1981.

Selectmen unanimously VOTED to grant an Automatic Amusement Device License to Kahili Restaurant at 106 Southville Road for a video game called "Asteroids".

Selectmen unanimously VOTED to grant to F.D. Newton Handtub Assoc. c/o E.J. Brock, President, a Special Permit to sell wines and malt beverages at its First Annual Spring Carnival on Sunday, 5/17/81 at Choate Field, Cordaville Rd., from noon to 6 p.m.

Selectmen unanimously VOTED to proclaim the week of May 10-16, 1981 as MUNICIPAL CLERK'S WEEK. Selectman Cipriano read the Proclamation.

Board unanimously VOTED to grant a Zoning By-Law Permit updating Charles A. Smith's Permit from 6/17/80 to build a single family dwelling at 1 Waterview Terrace (Assessors' Map 85, Lot 18).

STATE AGENCIES

Board noted ^{5/4/81} letter from Valerie J. Knotts, Program Planner/Developer for the Adult Day Center, Inc. They are looking for potential sites to house an adult day care center for elderly and handicapped persons residing in this area.
Action: Send copies to SHA and Council on Aging.

Board noted ^{5/7/81} memo from Samuel G. Mygatt, State Exec. Office of Environmental Affairs, Boston re Westborough Develop./Theme Park Environmental Review. Proposal involves reconstruction of Rt. 9 between Rt. 135 and Rt. I-495 and mentions future potential for a new connector road to I-495. DEADLINE for receipts of comments is Friday, May 29, 1981.
Action: Send copies to Town Boards, enclose copy of proposal and ask for input by May 22.

COMPLAINT

Board noted ^{4/30/81} letter from Richard A. Hallisey for 245 Turnpike Rd. Partnership Craig A. Reynolds, 37 Clifford Rd. re Easement Granted to the State; Drainoff of Rt. 9 through 245 Turnpike Rd. This easement was granted by a former owner of 245 Turnpike Rd. The resultant water flow has created serious standing water problems at both 245 Turnpike and 37 Clifford Rds. It was suggested that either the outflow should be piped to the Parkerville Rd. Drain or the existing brook should be deepened to alleviate the standing water.

Action: Administrative Assistant Jeffrey A. Grossman is to check to see if the State changed the contour of the land. If they did, then this is the State's responsibility. Mr. Grossman is to consult with the Highway Supt. Boland and Water Supt. Binder.

STATE LEGISLATURE

5/6/81
Letter noted from Senator Daniel J. Foley stating all legislation dealing with taxes and local aid are being studied by the Joint Committee on Taxation in conjunction with the Legislature's intensive work to resolve the dilemma faced by cities and towns as a result of Proposition 2½. Re: H. 532, "Legislation to Provide that the Net Sums Received from the Sales Tax be Credited to the Local Aid Fund"

TOWN DEPARTMENT

5/7/81 Re: William Linnell's request for a guardrail on Fram. Rd. adjacent to Toomey's on Fram. Rd.
/Letter from Highway Supt. John W. Boland re the installation of a guardrail on Framingham Rd. adjacent to property of the Toomeys on Framingham Rd. stating it is justified at this location. They prefer the Steel Beam Highway Guardrail Type SS with treated timber posts. Highway Supt. recommends this type also. At this time there are sufficient funds in the Highway operating budget but not sufficient funds in the line item marked for guardrails. Commitments have already been made for replacing guardrail materials, therefore this account stands at zero line item balance. Existing guardrails in Town are in deplorable condition.

This installation is justified, but the Town must seriously consider guardrail replacements in the very near future.

Mr. Boland awaits the Board's further direction regarding this installation.

Action: Await attempts by Highway Supt. Boland to get funds for guardrails from State Chapter 90 Funds.

FEDERAL AGENCIES

4/24/81
Letter noted from Nick Nibi, Director, Office of Regional Housing, HUD re Mass 19-P-3040, Contract No. H-(102)-219, Preliminary Planning of Storm Drainage Facilities. This office has made a comparison of drainage installation work undertaken in the Town since 1959 against preliminary Planning proposals developed by Whitman & Howard in their report of August 1959. Under terms of the Agreement executed in April of 1959, the Town is required to repay the Government all or part of the funds advanced if the funds have served the purpose for which they were provided. It has been determined that the Town has incurred a repayment obligation of \$1,000 at this time for drainage facilities placed in the ground in several areas (as noted in correspondence). Attached was an invoice for \$1,000 from the Regional Accounting Division of the Department.
Action: Board unanimously VOTED to take under advisement.

Highway Supt. Boland is preparing a report as to whether or not the recommendations were actually utilized. Also will obtain a copy of this Report from HUD.

WORCESTER COUNTY ASSESSMENT


Board noted ^{5/7/81} letter from Paul X. Tivnan, Chairman, Office of the Worcester County Commissioners in response to Admin. Asst. Grossman's 4/28/81 letter. Mr. Tivnan stated that the Worcester Cty. Tax will be within the four percent limitation imposed by Chapter 580 and is concerned with the total cty. assessment. In order to calculate a town's share of the County Tax, see Chapter 58, Section 10C for the formula and procedure for assessment of the Cty. Tax.

Action: Town Counsel is asking for a Declaratory Judgement on this matter.

Selectmen signed the following Treasury Warrants:

TW #49	in the amount of \$	120,000.00
TW #50	in the amount of	5,416.65
TW #200	in the amount of	17,885.82
TW #201	in the amount of	1,870,000.00
TW #202	in the amount of	29,121.16
TW #203	in the amount of	43,462.78

8:43 p.m. VOTED: to adjourn the meeting.


.....
Marjorie R. Putnam, Secretary

MINUTES OF MEETING

BOARD OF SELECTMEN

Hearing Room

Tuesday, May 19, 1981

7:30 p.m. Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie Putnam, members of the press and interested citizens.

No appointments were scheduled.

7:55 p.m. Representative Joseph M. Navin of the House Ways and Means Committee to gave a presentation re increased local aid and what it will mean to

8:27 p.m. Southborough. Southborough will receive additional monies from the State in the amount of \$240,000 over and above what was shown on the preliminary cherry sheet. This is just the House Ways and Means Committee's version. It has to be passed by the Senate and the Governor. The monies come from the Governor's budget being cut. Boards of Registrations have been combined. \$24 million in jobs have been eliminated due to the hiring freeze, state will assume local costs of county courthouses, assume the costs of C.766 pay the cost of a 3% cost-of-living allowance for municipal employees (retirees). State plans to change Chapter 766 education mandates, allow kindergarten to be offered at local option and changes in school lunch programs (to be made at local option). This money hopefully will go towards next year's Free Cash. The Final Cherry Sheet is expected to go out the middle of June. Representative Navin stated that he and Mayor Ferrechia of Marlborough are co-sponsors of a Bill to allow a growth factor under Proposition 2½.

Selectmen announced that Police Chief Robert A. Goyette had suffered a stroke Monday night while he was in the New England Medical Center and at present is in the Intensive Care Unit.

Selectman Cipriano informed the Board that he and Highway Supt. John W. Boland investigated 4/30/81 letter of complaint from Richard A. Hallisey and Craig A. Reynolds re drainage problems on their property at 245 Turnpike Road created by an easement which the former owner had granted to the State. Both 245 Turnpike Road and 37 Clifford Road have been affected. No town-owned land is involved and therefore cannot participate in alleviating the problem. Selectman Cipriano recommended to Dr. Hallisey that he should go back to the State and ask them to correct this problem. Dr. Hallisey said he would contact the State.

Mr. William Linnell, 1 Maplecrest Drive, was present and asked the status regarding his request for a barrier in front of or near his property on Framingham Road. Chairman Bartolini informed him that Highway Supt. John Boland was checking into obtaining state funds from Chapter 90 monies. The Highway Budget line item for guard rails is for maintenance and he has no monies set aside for a guard rail for Mr. Linnell.

Board of Selectmen GRANTED 5 Special Permits (1-Day) to Southborough Players, Inc. c/o Marina A. Kinchla, Patricia Gustafson, Producers, for function to be held at Benson Auditorium, St. Mark's School, Rt. 85, on June 19, June 20, June 21, June 26, and June 27..

Selectman McAuliffe made a motion that its summer schedule will be as follows:

<u>June</u>	<u>July</u>	<u>August</u>	<u>September</u>
2	14	11	8
16	28	25	
30			

All meetings will convene at 7:30 p.m. Board will meet once a week starting with the September 8 meeting. Motion was seconded by Selectman Cipriano and VOTED by a unanimous voice vote.

8:48 p.m. Selectman McAuliffe made a Motion that the Board go into Executive Session to discuss possible litigation facing the Town of Southborough, that the meeting will not be reconvened at the conclusion of the Executive Session, and that no votes will be taken. Motion was seconded by Selectman Cipriano and VOTED by a unanimous vote.

Selectmen signed Treasury Warrants as follows:

#51	Federal Revenue Sharing	\$	110.93
#52		\$	1,912.38
#204		\$	97,446.87
#205		\$	1,298,011.49
#206		\$	5,730.22
#207		\$	83,705.15

TOWN DEPARTMENTS

Police Department Board noted Notification from Superior Court, Department of Trial Court to the TOWN COUNSEL of Civil Action No. 19911

Robert Goyette

vs.

Town of Southborough

This is to notify that the Plaintiff's Application for Preliminary Injunction was DENIED (Dated May 15, 1981)

Police Department Board noted letter from Sgt. William J. Colleary, Jr. Officer-In-Charge, Southborough Police Dept. dated 5/19/1981 Re: 90-day Waiver

Officers William Webber and Joseph F. Deignan, III were granted a 90-day waiver this date in order that they may have full police powers prior to attending a police academy. The present waiver is not renewable and they must attend a fully certified police academy by September, 1981.

Treasurer/Collector Board noted a memorandum concerning suggested time table for the hiring of Treasurer/Collector Ruth Johnson's replacement; also a copy of the announcement that is to go to all employees.

Police Department Board noted a letter to Administrative Assistant, Jeffrey A. Grossman from Sgt. William J. Colleary, Jr. Officer in Charge, dated 5/15/81. The Police Department expressed its gratitude to Building Inspector Edgar A. Phaneuf, Jr. for the construction of a console for radio equipment and the installation of same. Assisting Mr. Phaneuf in the installation was John Mauro, Jr., architect and excellent radio man.

STATE AGENCIES

PUBLIC HEARING NOTICE: Metropolitan District Commission (MDC) will hold a public hearing on: May 27, 1981 - Wednesday 8:00 p.m. Natick Town Hall 13 East Central Street

DISCUSSION: Facilities Planning for Relief of the Framingham Extension Sewer.

ACTION: Selectmen or available Department Head to attend this Hearing.

Board noted letter of 5/19/81 from Sgt. William J. Colleary, Jr., Officer in Charge Southborough Police Department. Re: "NO PARKING" Signs- East Main Street, South Side Nos. 13,14,15,17,19

After speaking with each resident at the above numbers on East Main Street and finding no objections to the installation of "No Parking" signs, it is the recommendation of Sgt. William Colleary that signs be installed that read: "No Parking, Monday through Friday, 7 a.m. - 4 p.m.".

ACTION: Unanimous VOTE to Ask Highway Department to install said signs after permission is received from State Department of Public Works

STATE LEGISLATURE

Board noted 5/12/81 letter from Joseph S. Fitzpatrick, Secretary, Executive Office of Energy Resources, Boston Re: Massachusetts Senate Bill 429

Massachusetts Senate Bill 429, An Act to Increase the Energy Related Bond Authority of the Commonwealth; would authorize the Commonwealth to raise an additional \$45 million in bonds and notes to continue funding the energy audit, energy conservation improvement, and alternative energy property grant programs administered by the Secretary of Energy Resources under Section 11 of Chapter 25A of the Massachusetts General Laws.

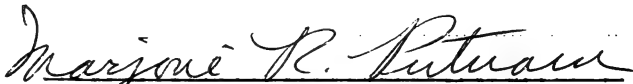
ATTACHED: A sample letter which will be of assistance in writing to Rep. Michael C. Creedon, Chairman of the House Ways and Means Committee supporting Senate 429.

WORCESTER COUNTY

Board noted 5/15/81 Memorandum to File from Administrative Assistant Jeffrey A. Grossman

Enclosed: Calculation of Southborough Worcester County Assessment in accordance with Massachusetts General Laws, Chapter 58, Section 10C.

8:49 p.m. VOTED to adjourn the meeting.


Marjorie R. Putnam, Secretary

mrp/mfm

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, May 26, 1981

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, and Lois Coit for the Worcester Telegram & Gazette, and Jean Bigelow for the Southborough Villager. Selectman Thomas W. McAuliffe did not attend this meeting as he was out of town.

Selectmen reviewed two applications for Automatic Amusement Device Licences for the Hong Chow Restaurant, Jake Lung Soo Hoo, Manager, 77 Turnpike Road. Chairman Bartolini requested Administrative Assistant Grossman to ask the Police Department to monitor the commercial establishments which have installed and operate these Amusement Devices to insure that said machines do not induce gambling by the patrons who frequent such businesses. Selectmen then signed License #5-1981 for Space Invader by Atari and License #6-1981 for Astroids by Atari.

Selectmen reviewed request from Ronald J. Garcia d/b/a Shrubs & Trees, Inc. to renew for another 30 days his permit to keep his office trailer at 126 Turnpike Road. Selectman Cipriano made a Motion to renew Mr. Garcia's temporary office trailer permit for another 30 days. Motion was seconded by Chairman Bartolini and VOTED by unanimous voice vote.

Selectman Cipriano made a Motion that Robert O. Bigelow, 15 Granuaile Road, be appointed as a Special Municipal Employee as a member of the Advisory Committee (under the provisions of Chapter 268A, Section 1 and 17 of the General Laws of the Commonwealth of Massachusetts), his term to expire May, 1984. Motion was seconded by Chairman Bartolini and VOTED by unanimous voice vote.

Chairman Bartolini announced that since Selectman McAuliffe was not present at this meeting that the Board will wait until next week to make its annual appointments.

A question was asked as to the new ad hoc Committee to Study Route 9 regarding its objectives. Chairman Bartolini stated that they wish to make an analysis of Route 9 from the easterly side of Southborough (on the Framingham line) to the westerly side (on the Wesborough line). The Committee will check on what is in store for Southborough from the Westborough developments such as its proposed Theme Park. The Committee will look into the crossings at Woodland Road, Break Neck Hill/White Bagley Roads, and Middle Road. They will look into the cloverleafs of Route 85 off Route 9. The Selectmen directed Administrative Assistant Grossman to ask Highway Superintendent Boland to attend a meeting regarding Wesborough Theme Park to be held

on May 27, 1981 at 7:30 p.m. in the Westborough High School auditorium. Selectman Cipriano said he also would be attending this meeting.

Selectmen discussed the "No Parking" signs they had voted on May 19, 1981 to have placed on East Main Street in front of Numbers 13, 15, 17 and 19. Due to the fact that these will be restrictive signs, the procedure must be approved by the State Department of Public Works. Therefore, Selectman Cipriano made a Motion as follows: That the Traffic Rules and Regulations of the Town of Southborough adopted on November 14, 1972, be and are hereby amended by adding at the end of Article V, Section 5-6, the following new description:

No Parking Monday through Friday 7 a.m. - 4 p.m. -- signs to be placed in front of Numbers 13, 15, 17 and 19 EAST MAIN STREET (south side of East Main Street).

8:00 p.m. Mr. William Linnell of 1 Maplecrest Drive spoke to the
to Selectmen about getting a guard rail in front of his home
8:30 p.m. on Framingham Road side of his property. He had spoken
to Highway Superintendent Boland as to the possibility
of getting the State, through Chapter 90 monies, to fund
this project. Mr. Boland had contacted the State who felt that this
was not a large enough project to fund. Mr. Linnell asked Mr.
Boland if any other line item with a surplus, such as snow removal,
could be used for the purpose of a guard rail. Mr. Boland does
feel that something should be done about a barrier in this location
but permission would have to be obtained from the Board of Selectmen.
Chairman Bartolini stated that this money is usually turned back to the
town each year if not used for the purpose of snow removal. Permission
must be asked of the Advisory Committee before the Selectmen will
allow this line item to be used. Administrative Assistant Grossman
will meet tonight with the Advisory Committee and report back to the
Board.

Board signed Zoning By-Law Permits for:

- 1) Garrett M. Donlin - to build a single-family dwelling at
47 Sears Road (Map 64 - Lot 3)
- 2) William E. Franze, Jr. - to build a single-family dwelling
at 34 Oregon Road (Map 16, Lot 11)

TOWN DEPARTMENTS

Board noted May 22, 1981 letter to Town Accountant Elaine M. Hinckley from Harvey J. Beth, Director of Accounts, Department of Revenue, re General Laws, Chapter 44, Section 31. Mr. Beth stated that approval has been given to the payment of a judgment rendered against the Town of Southborough by the Superior Court at Worcester, in favor of Michael Gulbankian, Inc., in the amount of \$22,676.69.
ACTION: To be paid under Treasury Warrant #211 dated May 29, 1981.

TOWN DEPARTMENTS (cont.)

Board noted May 21, 1981 letter to Town Clerk Paul J. Berry from Water Department Secretary Margaret Rossi stating that Commissioner John P. Manning was appointed Chairman of the Water Commissioners at its May 21, 1981 meeting.

ACTION: Letter to go to Mr. Manning congratulating him on his Chairmanship appointment.

Board noted May 22, 1981 letter from William G. Binder, Superintendent, Water Department stating that the Board of Water Commissioners would like to inquire as to the feasibility of the "generator" at the "old" fire station, 5 Main Street and that expenses will be absorbed by the Board of Water Commissioners.

ACTION: Check with Fire Chief to see what he wants to do with it. If he has no objections, the Water Commissioners can have it.

Board noted May 21, 1981 letter received from Highway Superintendent John W. Boland, re the annual town-wide Clean-up Campaign which was held May 2, 1981, in spite of poor weather and cancellations. The Highway Department wishes to acknowledge the efforts of the following and asks that the Board of Selectmen do the same:

Highway Department Laborers' Union
L. B. Darling Div., Idle Wild Farm
Hendrie's Frozen Foods, Inc.
Southborough News Shop
Bullwinkle's Pub
Boy Scouts - Troop 31

ACTION: Thank You letters to be sent to above.

APPOINTMENTS/RESIGNATIONS

Board noted May 12, 1981 letter to Town Clerk Paul J. Berry from George F. Killam, Conservation Commission stating that due to his recent election to the Cemetery Commission, he is resigning from his position on the Southborough Conservation Commission; effective immediately.

Board noted May 12, 1981 letter to Planning Board Chairman James Denman from Board member Margit S. Donath submitting her resignation from the Southborough Planning Board, effective May 13, 1981. Business and other time constraints make it increasingly difficult to devote time and energy effectively.

Board noted May 20, 1981 letter to Town Clerk Paul J. Berry from Town Moderator Joseph M. McManus, regarding the following appointments:

David J. Cella, 29 Highland Street, 3-Year Term to the
Advisory Committee; term to expire May, 1984

Cyd C. Ostrovsky, 1 Tara Road, 3-Year Term to the Advisory Committee; term to expire May, 1984

Barry D. Silver, 180 Parkerville Road, 3-Year Term to the Personnel Board; term to expire May, 1984

TOWN BOARDS

Board noted May 15, 1981 letter from Planning Board Chairman James B. Denman requesting a joint meeting with the Board of Selectmen to elect a new member due to the resignation of Margit Donath at the Board's May 12 meeting.

ACTION: Set up a joint meeting with the Planning Board.

Board noted May 15, 1981 letter from Planning Board Chairman James B. Denman listing the responsibilities of the members. The following responsibilities were delegated at the Board's May 12, 1981 meeting:

James Denman	Chairman
Stephen N. Foley	Liaison to Capital Budgets
Fred S. Ellis	Representative to Z.B.A.
David Scattergood	Representative to Site Plan Hearings

(Note: Town Clerk Paul J. Berry was also notified.)

Board noted May 15, 1981 letter from Planning Board Chairman James B. Denman, re the January 27, 1981 vote of the Board to adopt the following fee schedule:

Unanimously VOTED:

Approval Not Required	\$ 5.00
Site Plan Hearings	\$25.00
Subdiv. Prel. Plans	\$50.00 filing fee, plus \$10.00 per acre (credited towards Definitive fees)
Subdiv. Definitive Plans	\$500 filing fee, plus \$100 per acre. *

*Seventy-five per cent of this fee would be due at
submittal; twenty-five per cent at the completion
of the Board's actions.

SOUTHBOROUGH HOUSING AUTHORITY

Board noted May 22, 1981 letter to SHA members, re Chapter 121B Planning Grant. The Town of Southborough has withdrawn its application for financial assistance relating to revitalizing Southborough Center. The Board feels that the ad hoc study committee which is reviewing the downtown area would be the appropriate administrative authority in regard to a downtown planning grant. Since the Housing Authority was reluctant to relinquish such authority, the application was withdrawn causing a loss of potential financial assistance equal to \$15,000.

MDC

Metropolitan District Commission (MDC) will hold a public hearing May 27, 1981 at 8:00 p.m. in the Natick Town Hall, 13 East Central Street. The discussion will be: Facilities Planning for Relief of the Framingham Extension Sewer. cc: Board of Health 5/26/81.

SITE PLAN

Board noted May 21, 1981 letter to Administrative Assistant Jeffrey Grossman from David C. Johnson, Nutter, McClennen & Fish, 600 Atlantic Avenue, Boston, MA 02210, re Site Plan for Exxon Company, U.S.A., 344 Turnpike Road, Southborough; advising that the conditions imposed by the Board of Selectmen as set forth in the Administrative Assistant's May 13, 1981 letter are acceptable to EXXON.

Selectmen signed Treasury Warrants as follows:

TW # 53	in the amount of \$	34,742.37	REVENUE SHARING
TW #208	in the amount of \$	18,569.18	
TW #209	in the amount of \$	27,161.95	
TW #210	in the amount of \$	42,033.05	
TW #211	in the amount of \$	22,771.69	

8:30 p.m. VOTED to adjourn the meeting.

Marjorie R. Putnam
.....
Marjorie R. Putnam, Secretary

mrp/dp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, June 2, 1981

Hearing Room

7:30 p.m. Meeting convened. Present were: Chairman Louis Bartolini, Selectman Thomas McAuliffe, Selectman Aldo Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, members of the press.

William Linnell (1 Maplecrest Drive) stated that he knew the Advisory Committee had approved using the Highway Department funds not used for snow removal in order to place a guard rail in front or near his property on Framingham Road. He wanted to know if the Board had also approved. Administrative Assistant stated that he met with the Advisory Committee on May 26, 1981 and that they voted to approve this request. Mr. Grossman relayed this information to the Board and to Highway Superintendent John Boland. The Board approved this request and it now awaits Mr. Boland's receipt of the materials needed to install said guard rail. Mr. Linnell left at 7:52 p.m.

Chairman Bartolini read Grace Ryan's Memorandum re Zoning Permits. To streamline the Zoning By-Law Permit process it is suggested that sign-off by the Water Commissioners on a Zoning By-Law Permit is not needed on the ones not requiring Town water service but a copy of the plans would be sent to the Water Department as is done now. The Planning Board and the Conservation Commission have asked the Building Inspector to walk the site for them in order to determine if there are any Zoning or Wetland violations with the plan. If none, he may sign off on the application for them. Selectman Cipriano questions whether or not these two boards (Planning and Conservation) can delegate authority to the Building Inspector to sign off on these permits. Selectman McAuliffe asked that Town Counsel be instructed to answer this concern of Selectman Cipriano's.

8:04 p.m. Advisory Committee met with the Board to discuss proposed Program to Budgeting for the next Fiscal Year - 1983. Seven members of the

8:45 p.m. Advisory Board were in attendance. Chairman of the Advisory Committee Wendy Otavsky stated that they feel that it is a good idea, but also the Committee believes it will be difficult to get all the departments to go along with this new system. Administrative Assistant Grossman explained his June 1 memo re Planned Program Budgeting and the inefficiencies of the present line item budget system. The Advisory Committee need to have all budget information by the first of January each year, the worst offender being the School Department. It would help if they would also go along with the proposed Program Budgeting system. Administrative Assistant Grossman said that the line item information could be continued as a backup, but he would like to phase out line item budgets in the form in which they presently exist. With Proposition 2½ starting in July, priorities will have to be set. This Program Budgeting should help set priorities of services to be rendered. The new system should reduce the amount of time and effort put into the budget review by the Advisory Committee and the department heads. Advisory Committee expressed a concern that the program budget might be difficult to keep a close watch on. Chairman Bartolini's concern was that at present the Townspeople are used to line item budget voting.

Administrative Assistant Grossman said that program budgeting will give more information to the citizens. Advisory Committee all agreed that the concept of program budgeting is great, but the mechanics of it will have to be worked on. Chairman Bartolini suggested that it might help if Administrative Assistant Grossman were to put together a sample budget on a complicated budget like the Fire Department or the Selectmen's. Advisory Committee stated that the most important document they need by January 1 of each year is a tally sheet of every budget and every Article.

Selectmen signed a Contract for a grant funded by the Worcester CHINS Consortium for \$2,000 to the Southborough Youth Commission. This is a 12 week project involving 18 high school students. The money will be used in cooperation with the Northborough and Ashland Youth Commissions to do a short term peer education project. The students will write and perform nine short plays. Three will be video taped and used as an educational tool at the middle schools. Town Counsel Busconi is instructed to approve as to legal form and then it can be released.

Selectmen again agreed to hold on annual appointments until Selectman Cipriano has had a chance to review them. The appointments will be made at their June 16, 1981 regular meeting.

Selectmen McAuliffe and Cipriano signed the following Zoning By-Law Permits for John Bartolini for the building of single-family dwellings (Chairman Bartolini did not sign these Permits) on:

1. 129 Parkerville Rd. (Assessors' Map 27, Lot 17)
2. 131 " " (" " 27, Lot 16A)
3. 133 " " (" " 27, Lot 16B)
4. 135 " " (" " 27, Lot 16C)

Selectmen signed Zoning By-Law Permit for Eugene J. O'Brien for a single family dwelling on 153 Main Street (Assessors' Map 50, Lot 37). This permit will be held until receipt of a release from the Water Department. This lot has no town water and will have service from a well on this lot.

Selectman Cipriano made a Motion to appoint the following to the new Turnpike Road (Rte.9) Study Committee (ad hoc):

	<u>Term</u>
Louis J. Bartolini, 8 View Hill Road (Chairman)	Expire May 1982
Malcolm A. Hill II, 156 Middle Road	"
Fred L. Douglas, 8 John Matthews Road	"
John W. Boland, Jr., 12 Richards Road	"
Patricia M. Capone, 21 Richards Road	"
J. Gordon Stipe, Jr., 12 Partridge Hill Road	"

Motion was seconded by Selectman McAuliffe and VOTED by a unanimous voice vote.

9:00 p.m. Public Hearing was held on two petitions:
to

9:11 p.m. Petition #1: New England Telephone requests permission to relocate one pole on Marlborough Road - relocate from a point which is approximately 236 ft. southerly of School St., 14 ft. southerly. (Plan #NET960804)

Petition #2: New England Telephone requests permission to purchase $\frac{1}{2}$ interest in pole now owned by Mass. Electric...on Marlborough Road. (Pole #52) at the southwest corner of Marlborough Road and Ledge Hill Road. (Plan #NET960804)

Robert Alessio was present representing New England Telephone. Abutter Mary Lou Bell of 66 Marlborough Road was present. Mr. Alessio explained that the telephone company wanted to remove a pole which at present is right in the middle of the entrance to Ledge Hill Road on Marlborough Road. Mrs. Bell questioned as to where the new pole would be placed in relation to her driveway. Mr. Alessio promised that they would not interfere with her driveway and would consult with her at her home when they put the pole in. Mr. Alessio informed the Board that New England Telephone will not be placing any lines underground. They had thought they would at one time, but will not be doing any underground work. In regard to the poles in the middle of the property owners on Marlborough Road, these will be moved out to Marlborough Road. Selectman McAuliffe made a Motion that these two petitions be granted with the stipulation that all the proposed work must be completed by December 31, 1981. Motion was seconded by Selectman Cipriano and VOTED by a unanimous voice vote.

Selectmen discussed fee to be charged William Mauro d/b/a Mauro's Market for his new Package Store/All Alcoholic Beverages License to be turned over to him on June 9, 1981. Mr. Mauro now holds a Package Store/Wine and Malt Beverages License for 1981 for which he paid the fee of \$350.00. Discussion centered around whether or not: (1) Mr. Mauro should pay the full fee of \$1,500 (new fee charge effective 1/1/81); (2) pro-rate the \$1,500 for the half a year he will not be using the license which would be \$750.00; or (3) pro-rate both the \$1,500 and the \$350.00 for the half year not used for each license: $\$1,500 \div 2 = \750.00

$\$ 350 \div 2 = -175.00$
Balance due \$575.00

Selectman Cipriano stated that he did not like pro-rating at all. Selectman McAuliffe believed it was fair to pro-rate the full fee and give credit for the half year not used for the old license. Selectman McAuliffe then put this into a Motion, seconded by Chairman Bartolini.

VOTED: Chairman Bartolini = No
Selectman Cipriano = No
Selectman McAuliffe = Yes

Motion did not carry.

Selectman Cipriano then made a Motion that the full fee of \$1,500 be charged to Mauro's Market. Chairman Bartolini seconded the Motion.

VOTED: Chairman Bartolini = No
Selectman Cipriano = Yes
Selectman McAuliffe = No

Motion did not carry.

Selectman McAuliffe made another Motion to charge a fee to Mauro's Market of one-half of the full fee on June 9 and set a precedent of paying the full amount before June 1 and half the amount after June 1, i.e., \$1,500 divided by 2 equals \$750.00 to be charged Mauro's Market for the license he will receive on June 9. Selectman Cipriano seconded the Motion.

VOTED: Chairman Bartolini = Yes
Selectman McAuliffe = No
Selectman Cipriano = Yes

Motion carried.

9:37 p.m. Selectman Cipriano brought up the matter of the railing on the side entrance of Fayville Village Hall. He asked as to the status of having the railing installed. Administrative Assistant Grossman said that the railing should be installed by the end of the week by the Building Inspector as they have had to have some parts welded. Chairman Bartolini instructed Administrative Assistant Grossman to see that this railing was installed on Wednesday, June 3, 1981 and no later as this was a dangerous entrance without the railing. Administrative Assistant Grossman said he would so instruct the Building Inspector.

9:38 p.m. Joseph Prior spoke as a concerned citizen asking the Selectmen as to when the South side of town was going to get its ambulance back. Chairman Bartolini explained that this ambulance could only be used as a backup vehicle if the other ambulance was tied up. The backup ambulance does not meet State Standards and can only be used as a backup vehicle. The ladder truck is now stored at the Precinct II Fire Station in place of the old ambulance. Mr. Prior asked why can't the ladder truck be parked at the old fire station and then the old ambulance could return to the Precinct II Fire Station. Mr. Prior said if it were needed, it could save many valuable minutes being on the south side of Town. Chairman Bartolini said he would speak to the Fire Chief about Mr. Prior's suggestion.

STATE AGENCIES

5/30/81 Letter from David E. Taylor, Chairman, Southborough Housing Authority
Re: Administrative Assistant Grossman's 5/22/81 letter;
Chapter 121B Planning Funds

The Southborough Housing Authority requests a meeting with the Board of Selectmen at its earliest convenience, regarding Chapter 121 B Planning Grant (application for financial assistance relating to revitalizing Southborough Center).

ACTION: A meeting has been planned with the Southborough Housing Authority for Tuesday, June 16, 1981 at 8:15 p.m.

5/21/81 Letter from Senate Majority Leader, Daniel J. Foley Re: Traffic Congestion: Intersections of Rte. 9 and White Bagley & Break Neck Hill Roads and Route 9 and Middle Road.

Senator Foley has contacted Henry Holmes, Department of Public Works, to express his concern regarding the traffic congestion at the above locations and seeks the Department's support in reducing the congestion by installing traffic signals at these locations.

PUBLIC HEARING: Department of Public Utilities Hearing Room
100 Cambridge Street, Boston, Ma on Tuesday, June 23,
at 1:00 p.m.

Re: Petition of Quickway Transportation, Inc. requesting a Certificate of Public Convenience and Necessity to operate motor vehicles having a capacity of not more than 12 passengers over certain public ways in cities and towns, one of which is Southborough.

TOWN BOARDS

NOTED: Southborough Conservation Commission reviewed Notice of Intent and plans of: D.K. Associates, 14 Main Street, Southborough, regarding Order of Conditions, Wetlands Protection Act: G.L.C. 131, s.40. Conditions to be met pertained to:

1. Display of a sign.
2. Drainage ditches to be dug.

NOTED: In Town Clerk's Office Business Certificates for the following:
"VOALS" Roderick M. MacNeill, 16 Newton Street
"The Thomas Co., Inc.", d/b/a "McGee's Exxon Servicecenter"
"The Family Store", 155 Boston Road (Jerry Freeman & John Slavin)
"MacNeill Realty Co." from 23 Woodbury Road to 16 Newton Street.

Copy given to Building Inspector Edgar A. Phaneuf, Jr. Any changes or dispositions, were noted.

APPOINTMENTS/RESIGNATIONS

Board noted a letter to Paul J. Berry, Town Clerk from C. John M. Hofer
Personnel Board Member Re: Resignation
Mr. Hofer is resigning from the position of Personnel Board Member for the Town, effective immediately; due to the serious conflict that arises between work on the Board and his business operations.
ACTION: Board to send a letter of regret.

Board noted letter to Town Clerk Paul J. Barry from Town Moderator Joseph M. McManus Re: Appointment to Personnel Board
Moderator McManus is appointing Richard K. Dinjian, 22 Ted Lane to a two (2) year term on the Personnel Board; term to expire May, 1983.
Mr. Dinjian is filling the vacancy caused by the resignation of Mr. C. John M. Hofer.

Selectmen signed Treasury Warrants as follows:

TW # 212 in the amount of \$ 120,000.00

TW # 213 in the amount of \$ 98,357.51

TW # 214 in the amount of \$ 5,994.97

TW # 215 in the amount of \$ 7,596.54

9:40 p.m. VOTED: to adjourn the meeting.


Marjorie R. Putnam, Secretary

mrp/mfm

MINUTES OF SPECIAL MEETING

BOARD OF SELECTMEN

Wednesday, June 3, 1981

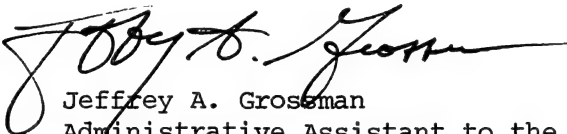
Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant, Jeffrey A. Grossman.

7:30 p.m. Meeting convened in Conference Room A of the Town House.

The following were interviewed for the position of Treasurer/Collector of the Town of Southborough:

Jennifer A. Bishop, 9 Break Neck Hill Road, Southborough
Willard S. Putnam, 66 Mt. Vickery Road, Southborough
Mary B. Guilford, 29 East Main Street, Southborough
Janice Conlin, 20 Pinecone Lane, Southborough.

10:23 p.m. Meeting adjourned.



Jeffrey A. Grossman
Administrative Assistant to the Board of Selectmen

jag/mfm

MINUTES OF SPECIAL MEETING

BOARD OF SELECTMEN

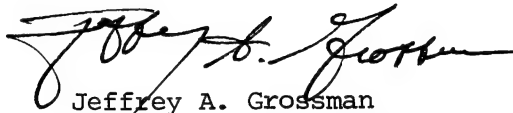
Thursday June 4, 1981

Present: Chairman Louis J. Bartolini, Selectman Aldo A. Cipriano and Administrative Assistant Jeffrey A. Grossman.

3:00 p.m. Meeting convened in Conference Room A of the Town House.

Marjorie McAuliffe was interviewed for the position of Treasurer/Collector of the Town of Southborough. Marjorie McAuliffe submitted neither a formal application nor a resume.

4:50 p.m. Meeting adjourned.



Jeffrey A. Grossman
Administrative Assistant to the Board of Selectmen

jag/mfm

MINUTES OF SPECIAL MEETING

BOARD OF SELECTMEN

Tuesday, June 16, 1981

3:30 p.m. Meeting convened in the second floor Hearing Room of the Town House. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, Fire Chief Edward F. Brock, Highway Superintendent John W. Boland, Police Sergeant-in-Charge William J. Colleary, Jr., members of the press; representatives of the Commonwealth of Massachusetts Department of Public Works (Worcester) Henry C. Holmes, District Highway Engineer, Robert Shea, Traffic Division Engineer, William Toomy of the State Transportation Committee; and Gordon Stipes of the ad hoc Committee to Study Turnpike Road (Rt. 9); and interested citizens.

This meeting was called to discuss the State's proposal to close the median on Turnpike Road at the intersection of White Bagley Road and Break Neck Hill Road. Selectmen agreed that this intersection needs improving as Rt. 9 is a heavily traveled road and this intersection is dangerous as are other intersections on Rt. 9 such as at Woodland and Middle Roads. Commonwealth needs to improve the on and off ramps at Rt. 9 and Rt. 85.

Chairman Bartolini stated that the State has put traffic lights at other similar intersections in the Saugus/Melrose area. Perhaps a jughandle with lights is one way to improve the White Bagley/Break Neck Hill Rd. intersection. The Board of Selectmen is open to any suggestion other than the closing of the median.

Mr. Holmes stated if the median were closed, people would drive further, about a quarter of a mile to the Oak Hill lights in order to travel in a westerly direction onto Rt. 9, or travel a short distance to turn off Rt. 9 onto Rt. 85 to pick up Rt. 9 again going in an easterly direction. Also Break Neck Hill Rd. has Mt. Vickery Rd. for an access. This, he considers, is a small inconvenience to travelers. Mr. Holmes stated that a jughandle at this intersection needs a certain amount of land and that the State would be restricted by the reservoirs. Also, there are wetland areas there which represent very sensitive issues. In 1980 there were four accidents at this intersection where 6 people were injured. In 1977 there were eleven accidents. These statistics don't meet the warrant requirements for traffic lights at this intersection. It would be low on the priority list. Mr. Holmes said he could not recommend to Boston to put traffic lights at this intersection.

Chairman Bartolini said Rt. 85 is the only access to cross Rt. 9 for travelers and emergency vehicles, and it will be more heavily traveled if the median were to be closed.

Mr. Holmes stated that he does not believe the closing of the median would be enough hardship on the citizenry to warrant traffic lights at the intersection. He said that the same problem occurs up and down Rt. 9. It would entail at least 6 lights stopping 35,000 cars a day. Also statistics show that traffic lights increase fatalities and cause more accidents.

Selectman Cipriano asked what system or guideline is used to find out how you meet the warrants. Mr. Holmes replied that the State uses a manual entitled, "Uniform Control Devices". The warrants are listed in this book. Examples are: (1) traffic volume - Southborough does not meet this; (2) accidents - 5 per year which the installation of traffic lights would affect. Our opinion is based on "our own studies of the intersections where we have put signals in". Sel. Cipriano asked if the Board can have a copy of that analysis whereby the State formed its opinion. Selectman Cipriano suggested that each town's problem should be weighed. There was discrepancy of the number of accidents and fatalities at this intersection and between the State's records and the records given to the Town by the Registry of Motor Vehicles. Mr. Holmes said his figures were obtained from the computer. Again, Mr. Holmes stated that there will be more accidents if traffic lights are placed at this intersection. For example, at Crystal Pond Road traffic lights there are more accidents than before the lights were installed and there are more accidents at Central Street and Oak Hill Road. While there are more accidents, they are less severe.

Sel. Cipriano stated that the Board's primary concern is the accidents, but he does not want the Town split in half.

Mr. Holmes stated that at this intersection you can see both sides for a quarter of a mile and there are two left-hand storage lanes at both intersections. Sel. Cipriano said that the problem is when you get caught in the median. Mr. Holmes said that there was room for that. Sel. Cipriano repeated that the Board is asking for two traffic lights. Sel. Bartolini noted that to the east of Southborough, the lights in front of the "S" curve (in Framingham), do not meet the warranted requirements.

Mr. Holmes stated, "I cannot and will not recommend traffic lights at those intersections " (Middle Rd. and White Bagley). Sel. Cipriano said that the Board understands his position and inquired if there was another avenue available.

Sel. McAuliffe said that the State will be closing the Town off and that Rt. 85 will be the only access. The Board wants the median left open to allow the residents proper fire and police protection.

Mr. Holmes said that Shrewsbury is the same. In Mr. Holmes' opinion, for safety purposes, that median should be closed. There is a lot of speeding going on there. The State Police should look into this. "The 35,000 people who travel on this State Highway is my responsibility," stated Mr. Holmes.

Sel. Cipriano asked, regarding Westborough's proposed Theme Park, whether the State has taken into consideration what the impact will be on Rt. 9. Mr. Holmes replied that a study was recommended for Rt. 9. The aerial survey has been completed. He now has the negatives. A study is not scheduled to be done this year, but perhaps it might be started this fall or this winter. Sel. Bartolini remarked that it seems that Southborough is low on the State's priority list. Mr. Holmes said that the area of the intersection at White Bagley/Break Neck Hill Roads is environmentally sensitive. Sel. Bartolini would like to see road improvements made in the area of the median. The median fence should be lowered, for instance as it now obstructs visibility, especially for small cars. Mr. Holmes suggested that

perhaps better street lighting in that area would help. Mr. Holmes agreed that the Rt. 85 access is substandard. Cars turning out of White Bagley seem to have difficulty and cause accidents. Perhaps the corner could be widened. People crossing over Rt. 9 at this intersection cause accidents due to error of judgment. Fire Chief Brock said that Middle Road also needs to stay open as the closing of this median would impair emergency vehicles. Mr. Holmes said it could have an emergency crossover such as at Parkerville Rd. Sgt. Colleary said there would be a serious problem if emergency vehicles can't get across Rt. 9 at Middle Rd. Mr. Holmes stated that he is recommending closing White Bagley/Break Neck Hill Rd. median and not Middle Road median. Sel. McAuliffe suggested putting better lights at the White Bagley/Break Neck Hill Rd. intersection and see if that works and don't close either medians. Give the Town a chance to get the traffic slowed down and put better lights in the area. Give the Town some time. Everyone can meet again to talk over if this approach is working.

Sel. Bartolini informed Mr. Holmes that a Study Committee to Study Rt. 9 has just been appointed and asked that the State wait before taking any action, ask the State Police for better patrol in the area, and to wait until we see the results of the above suggestions.

Highway Supt. Boland asked who initiated the action. Answer: Registry of Motor Vehicles initiated the action to close the median. It was their decision, said Mr. Holmes.

John Boland was concerned that one median closing might lead to another closing and eventually Southborough would be cut off - south side from the north side. Chairman Bartolini said the Board wants to preserve Southborough as it is and to allow traveling across Southborough without too much hardship. At Middle and Parkerville Roads, the children cannot cross safely to get to Neary School on Parkerville Rd. north and at one time a pedestrian ramp was proposed to the State.

Mr. Stipe said coming from Framingham direction, turning onto Rt. 85 from Rt. 9 west, you can't decelerate slow enough as you have to use the narrow breakdown lane.

A resident in the vicinity of the Middle Rd. median complained that this median was difficult to cross from one side to another as you have to travel at an angle across Rt. 9 (from Middle Rd. north to Middle Rd. south).

Christiane Nilsson, 14 Latisquama Rd, is in favor of closing the median at White Bagley/Break Neck Hill Rds. She believes that emergency vehicles don't use that median very much. Latisquama Rd. has become a speed strip and the speeding has not been checked. Her husband formally complained last year to the Police Department re the speeding.

4:48 p.m. Meeting adjourned.

Marjorie R. Putnam
Marjorie R. Putnam, Secretary

MINUTES OF MEETING

BOARD OF SELECTMEN

Tuesday, June 16, 1981

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Thomas McAuliffe, Selectman Aldo Cipriano, Administrative Assistant Jeffrey Grossman, and members of the press - Lois Coit of the Worcester Telegram and Gazette and Jan Gardner of the Middlesex News.

8:02 p.m. Re: Supply of diesel fuel for the Town of Southborough. Selectman McAuliffe made a Motion that the diesel fuel contract be awarded to Falconi Brothers, Inc., 29 Boston Road, Southborough, MA at its June 15, 1981 bid price of \$1.049 per gallon based on the tank car price dated June 15, 1981. Bid opening was held at 3 pm on Tuesday June 16, 1981. Only one bid was received - from Falconi Brothers, Inc. Motion was seconded by Selectman Cipriano and VOTED by a unanimous voice vote.

8:13 p.m. Upon the recommendation of the Highway Superintendent John Boland, the Board awarded contract for bituminous concrete paving to E.C. Murray Construction Co., Inc. of Framingham, MA as per its bid dated June 16, 1981 in the amount of \$26.70 per ton for each item. Letters are to go to Starrett Paving Corp. of Marlborough, Granger-Lynch Corp. of Millbury, and Trimount Bituminous Products Co. of Everett informing them of the contract award to E.C. Murray Co., Inc. All checks and bid bonds are to be returned to the above four companies via certified mail. Selectman McAuliffe made the Motion, Selectman Cipriano seconded the Motion, and it was unanimously VOTED by voice vote.

8:15 p.m. Meeting with Southborough Housing Authority and Paul e Brefka, to
9:05 p.m. Chairman of the Fire Station Study Committee, to discuss Chapter 121 B Planning Grant. Members of the Southborough Housing Authority present were: Chairman David Taylor, Sr., Frank Aspinwall, Henry Welch, Jr. and Executive Director Ellen Boland. Town Counsel

Busconi and Office Manager Grace Ryan were also present. Mr. Taylor asked for this meeting after receiving a letter dated 5/22/81 from the Selectmen's office stating that the Town had withdrawn its application for financial assistance relating to revitalizing Southbrough Center since the Housing Authority was reluctant to relinquish its authority. This withdrawal caused a loss of potential financial assistance equal to \$15,000. Mr. Taylor said Southborough Housing Authority took this matter up at its regular meeting Tuesday May 19. The afternoon of the 19th Grace Ryan of the Selectmen's office had talked to Mrs. Boland. Mr. Taylor said that night they were asked to sign the papers regarding the funds. On May 20 Mr. Taylor received a call from Jeffrey Grossman urging a meeting with Southborough Housing Authority. Mr. Taylor said this was too short a notice to call a meeting. He told this to Chairman Bartolini. Southborough Housing Authority did not feel that it should turn over state funds without knowing what the funds were to be used for. They did not realize that these funds had not been applied for. They did not know about the committee and the study of the downtown Southborough area. Mr. Taylor said a member of his Authority should have been on that Committee. Chairman Bartolini and Jeffrey A. Grossman explained that the Board's Administrative

Assistant Jeffrey Grossman only found out about these funds on May 7, that Mrs. Ryan contacted the Executive Office of Communities & Development the following day but assumed that monies were for housing rehabilitation only. On May 15, the Executive Office of Communities & Development called asking if Southborough was intending to file explaining that it was for downtown revitalization as well. On May 15 Administrative Assistant Jeffrey Grossman contacted Selectmen with the request to file an application. Selectmen granted request. On May 15 and May 18 attempts were made to contact Mr. Taylor, unsuccessfully. Therefore, a call was made by Selectmen's office on May 19 to Ellen Boland at the Housing Authority office. It was explained by Selectmen's Office that this grant was available and that a plan had been drawn up which Administrative Assistant thought was a good plan. However, the application had to be under the Board of Selectmen or the Housing Authority, but the Community Development stated the grant application could not be sent in unless the Housing Authority relinquished their authority. If the Housing Authority were to remain in charge they would have to complete the application and send it in. There was not enough time for Southborough Housing Authority to do this and since a study was completed by the Fire Station Study Committee, it was ready to be sent in with the Board of Selectmen as the Board in charge. On May 20 Jeffrey Grossman A. Grossman contacted Mr. Taylor and explained the above and Mr. Taylor said the Southborough Housing Authority refused to sign. Jeffrey Grossman relayed this fact to Chairman Bartolini. Chairman Bartolini explained to Southborough Housing Authority that in order to qualify, three conditions had to be met. Two were met, but the third one (relinquishing authority from Southborough Housing Authority to Board of Selectmen) was not met as the Southborough Housing Authority refused to sign. Southborough Housing Authority asked why the application was not sent in as Southborough Housing Authority in charge. Selectman Bartolini said the State would not consider anyone except the Board of Selectmen. The application would not be accepted. All three papers had to be signed and they were not. The Selectmen's office tried to get the Housing Authority involved but they could not get any members to attend any meetings. The Southborough Housing Authority members said they were not given enough notice. Selectmen said they assumed that even though Southborough Housing Authority only meet once a month that their mail is picked up daily. Ellen Boland said that she received the notice on May 7. Paul Brefka said he was surprised by the statement by the Southborough Housing Authority members that they did not know about the study of the downtown areas it took a year to put it all together and was discussed at two Annual Town Meetings. Mr. Brefka said he was not informed of this grant until Mrs. Ryan telephoned him to ask for his help to fill out the application form which he did. This grant would not have been considered unless the Committee had done the preliminary work. If approved, this grant would have provided the money to obtain a consultant to write the specifications for developing the town as a unit. Mr. Brefka said it is a shame that the Town lost this money as he believed we would have easily been granted the funds. Selectmen asked Southborough Housing Authority why they did not take up Mrs. Ryan's offer to attend their meeting to explain everything to the whole authority. Mr. Welch said that this subject didn't come up at their meeting until 9:45 pm. The Selectmen said they had to act fast as they didn't receive much notice either. Selectman McAuliffe stated that members of the Selectmen's office communicated with Southborough Housing Authority but that Southborough Housing Authority did not try very hard to communicate with anyone from the Selectmen's office. All agreed to try to improve communication and involvement in town matters.

9:09 p.m. Selectmen discussed with Town Counsel Frederick A. Busconi the status of the Police Chief Goyette case against the Town (fighting the Board's vote to place him on leave of absence without pay). Frederick A. Busconi said this case will be heard sometime in early Fall - September or October. However, in mid-July a hearing will be held by the Worcester County Retirement Board as to whether or not the Chief is entitled to his retirement. If they agree, then Goyette will have retired as of the date he signed his retirement papers, i.e. the last date he was on the payroll.

9:21 p.m. Selectman Aldo A. Cipriano read aloud the list of appointments made annually by the Board of Selectmen. Also two committees were dissolved. This was put into the form of a Motion by Selectman McAuliffe, seconded by Selectman Cipriano, and VOTED by a unanimous voice vote. The names are as follows:

<u>POSITION</u>	<u>NAMES & ADDRESS</u>	<u>TERM EXPIRES</u>
<u>BUILDING DEPARTMENT</u>		
Bldg. Inspector & Sealer of Weights & Measures	Edgar A. Phaneuf, Jr. 171 Middle Rd.	May 1982
Plumbing Inspector & Gas Inspector	George A. Labarre, Jr. 36 Bigelow Rd.	" "
Ass't Plumbing Inspector	Ronald T. Courtmanche, 196 Parkerville Rd.	" "
Wiring Inspector	James A. McCaw, 19 Middle Rd.	" "
Ass't Wiring Inspector	Richard G. Trudel, 16 Teresa St. Hopkinton	" "
<u>PUBLIC WEIGHERS & WEIGHERS OF COAL</u>		
	Albert L. MacDonald, Jr.)	" "
	Russell Jacobsen)	" "
	Charles Vitti)	" "
	Ed Potter)	" "
	Dennis MacDonald)	" "
	James Mayer) c/o Almac Moving &	" "
	Richard Parrow) Storage, Inc., 35"	" "
	Gene Myers) Turnpike Rd.	" "
	Tina Chaves) Fayville, MA 01745"	" "
	William Finney)	" "
	John J. Falconi, 9 Newton St.	" "
	Frank J. Douglas, 45 Boston Rd.	" "
	Joseph Mauro, 37 Boston Rd.	" "
<u>ENERGY CONSERVATION</u>		
<u>MANAGER FOR THE TOWN</u>		
<u>OF SOUTHBOROUGH</u>		
	Edgar A. Phaneuf, Jr., 171 Middle Rd.	" "
<u>COMMUNITY HAZARDOUS</u>		
<u>WASTE TASK FORCE (ad Hoc)</u>		
Coordinator	Jeffrey A. Grossman, 936 Central St. Fram.	" "
Highway Department	John W. Boland, Jr., 12 Richards Rd.	" "
Board of Health Rep.	Janice C. Conlin, 20 Pinecone Lane	" "
Fire Chief	Edwrad F. Brock, 9 Latisquama Rd.	" "

<u>POSITION</u>	<u>NAME & ADDRESS</u>	<u>TERM EXPIRES</u>	
<u>TURNPIKE ROAD (RT.9)</u>	Roger W. Capone, 21 Richards Rd.	May	1982
<u>STUDY COMMITTEE (ad hoc)</u>	Howard Berg, 51 Boston Rd.	"	"
	Betty Soderholm, 3 Crestview Dr.	"	"
	Elin A. Soderholm, Crestview Dr.	"	"
<u>DOG OFFICER</u>	Charles F. Hamel, 224 Boston Rd.	"	"
<u>TOWN COUNSEL</u>	Frederick A. Busconi, Town House	"	"
<u>FAYVILLE VILLAGE HALL</u>	John Baveri, 5 Valley Rd.	"	"
<u>COMMITTEE</u>	Clarence J. Burton, 7 Central St.	"	"
	Caesar T. Ghiringhelli, 26 Central St.	"	"
	Leonard E. Gorman, 14 Mitchell St.	"	"
<u>FAYVILLE VILLAGE HALL</u>	Albert J. Phillipo, 24 Learned St.	"	"
<u>CUSTODIAN</u>			
<u>FIRE WARDEN</u>	Edward F. Brock, 9 Latisquama Rd.	"	"
<u>DEPUTY FIRE WARDEN AND</u>	John W. Boland, Jr., 12 Richards Rd.	"	"
<u>DEPUTY FIRE CHIEF</u>			
<u>SUPERINTENDENT OF</u>	Howard E. Truesdale, 14 Middle Rd.	"	"
<u>INSECT PEST CONTROL</u>			
<u>VETERANS' GRAVES OFFICER</u>	Thomas J. Grady, 7 Harris Dr.	"	"
<u>DIRECTOR, VETERANS' SERVICES</u>	Irene Burkis Tibert, 140 Woodland Rd.	"	"
<u>& BURIAL AGENT</u>			
<u>POUND KEEPER</u>	Joseph Mauro, 37 Boston Rd.	"	"
<u>DEPUTY POUND KEEPERS</u>	Charles Fantony, Jr., 69 Turnpike Rd.	"	"
	Charles F. Hamel, 224 Boston Road	"	"
<u>OFFICE MANAGER, BOARD</u>	Grace Ryan, 14 Rockpoint Road	"	"
<u>OF SELECTMEN</u>			
<u>SECRETARY, BOARD OF</u>	Marjorie R. Putnam, 66 Mt. Vickery Rd.	"	"
<u>SELECTMEN</u>			
<u>CLERK, BOARD OF</u>	Dorothy M. Phaneuf, 171 Middle Rd.	"	"
<u>SELECTMEN</u>			
<u>TOWN HOUSE RECEPTIONISTS</u>	Maureen F. Maguire, 9 Winchester St.	"	"
	A. Jean McCaw, 19 Middle Rd.	"	"
<u>TOWN HOUSE CUSTODIAN</u>	Lewis D. Maida, 33 Main St.	"	"
<u>REP. OF BOARD OF SELECTMEN</u>	Peter K. Daniels, 7 Rockpoint Rd.	"	"
<u>SOUTH MIDDLESEX OPPORTUNITY</u>			
<u>COUNCIL- public Rep. of</u>			
<u>the Board of Selectmen to</u>			
<u>the Board of Directors</u>			
<u>ART COUNCIL</u>	Gayle R. Davis, 5 Foley Dr.	"	"
	Edith S. Myerson, 29 Overlook Dr.	"	"
	Jacqueline Walsh, 26 Lynbrook Rd.	"	"
	John A. Carey, 43 H Main St.	"	"
	Patrice M. Kennedy, 40 Flagg Rd.	"	"
	Carol Reynolds, 37 Clifford Rd.	"	"
	Lois J. Coit, 3 Birchwood Rd.	"	"

<u>POSITION</u>	<u>NAME & ADDRESS</u>	<u>TERM EXPIRES</u>
<u>ART COUNCIL (CONTINUED)</u>		
	Barbara Clement, 24 Woodbury Rd.	May 1982
	Phyllis J. Bezanson, 20 Deerfoot Rd.	" "
	Ralph A. Claflin, 4 Winchester St.	" "
	Evangelie Flessas, 9 Bantry Rd.	" "
	Robert Gallivan 75 Marlborough Rd.	" "
	Eva Nicholas, 16 Rockpoint Rd.	" "
	Marvin C. Ostrovsky, 1 Tara Rd.	" "
<u>AD HOC COMMITTEE TO STUDY THE TRANSFER STATION AND RECYCLING CENTER</u>		
	Norman E. Boiani, 10 Foley Dr.	" "
	Brian C. Mauro, 2 Foley Dr.	" "
	Edwin D. McMeen, 134 Deerfoot Rd.	" "
	Ingeborg E. Tufts, 27 Flagg Rd.	" "
	Richard V. Upjohn, 65 Deerfoot Rd.	" "
	Donna L. McDaniel, 24 Richards Rd.	" "
	Harold O. Kiess, 6 Mt. Vickery Rd.	" "
<u>FENCE VIEWERS</u>		
	Robert E. Hoss, 184 Middle Rd.	" "
	William G. Turner, 5 Flagg Rd.	" "
<u>FIELD DRIVERS</u>		
	Gail M. Hoss, 184 Middle Rd.	" "
	Frank J. Rossi, Jr., 17 Breakneck Hill Rd.	" "
	Frank J. Rossi, Sr., 7 View Hill Rd.	" "
<u>CIVIL DEFENSE DEPARTMENT OPERATIONAL STAFF:</u>		
Civil Defense Director	Fire Chief, Edward F. Brock, 9 Latisquama Rd.	" "
Deputy Director	John W. Boland Jr., 12 Richards Rd.	" "
Communications Staff	George A. Labarre, 5 White Bagley Rd.	" "
Technicians	Charles E. Wood, 80 Middle Rd.	" "
	Daniel F. Brock, 9 Latisquama Rd.	" "
	John D. Mauro, Jr. 34 Boston Rd.	" "
	Steven D. Smith, 1 Wood St.	" "
Chief Engineering Service	John W. Boland, Jr., 12 Richards	" "
Chief Fire Service	Edward F. Brock, 9 Latisquama Rd.	" "
Legal Officer	Frederick A. Busconi, 92 Framingham Rd.	" "
Medical Officer	Timothy P. Stone, 42 Main St.	" "
Operations Staff	Frank R. Aspinwall, 6 Winchester St.	" "
	George R. Boothby, 7 Cherry St.	" "
	David A. Churbuck, 21 Main St.	" "
	George A. Hubley, 103 Southville Rd.	" "
	John C. Misener, 8 Latisquama Rd.	" "
	Edward D. Priest, 60 Deerfoot Rd.	" "
	John Mauro, 35 Boston Road	" "
Transportation Officer	Michael G. Gulbankian, 40 Mt. Vickery Rd.	" "
Ass't. Transportation Officer	Harvey D. Bigelow, Sr., 30 Bigelow Rd.	" "
Chief Water Service	William G. Binder, Jr., 18 E. Main St.	" "
<u>POLICE DEPARTMENT</u>		
Sergeants	Sergeant-in-Charge, William J. Colleary, Jr., 91 Southville Road	" "
	Richard C. Waller, 30 Clifford Rd.	" "

POLICE DEPARTMENT con't

<u>POSTTION</u>	<u>NAME & ADDRESS</u>	<u>TERM EXPIRES</u>
Regular Officers	Charles R. O'Connell, 53 Boston Rd.	May 1982
	Richard L. Mattioli, 44 E. Main St.	" "
	Charles A. Keller, Jr., 87 Turnpike Rd.	" "
	Danny R. Chernewski, 36 Fisher Rd.	" "
	Robert J. Durran, 13 Oregon Rd.	" "
	William H. Webber, 84 Prospect Hgts.,	" "
	Joseph F. Deignan, III, 52 ^{Milford} Beechwood Ave.	" "
	Watertown	

(The above members of the Police Department should also be appointed Constables)

Clerk/Dispatcher	Willard S. Putnam, 66 Mt. Vickery Rd.	" "
Civilian Dispatchers	John D. Mauro, Jr., 35 Boston Rd.	" "
	Nancy J. Sheppard, Hudson Rd. Bolton	" "
	Frank W. Moore, 97 Woodland Rd.	" "
	Sandra A. Brock, 9 Latisquama Rd.	" "
	Kathleen M. Straitt-P/T, 5 Arthur St.	" "
	Clinton	
Reserve Officers	Willard S. Putnam, 66 Mt. Vickery Rd.	" "
	Theodore Pietrasiak, 12 Cherry St.	" "
	Frank W. Moore, 97 Woodland Rd.	" "
	Ronald G. Mattioli, 44 E. Main St.	" "
	Richard L. Mattioli, 44 E. Main St.	" "
	John D. Mauro, Jr. 35 Boston Rd.	" "
	Donald R. Satterfield, 97D Woodland Rd.	" "
	Denson L. Satterfield, Jr., 20 Turnpike Rd.	" "
	Paul R. Nelson, 11 Prentiss St.	" "
	Steven V. Purcell, 8 Rockpoint Rd.	" "
	Joseph E. Bennett, 12 Leonard Dr.	" "
	Craig A. Moran, 70 E. Main St. Hopkinton	" "
Special Police Officers	Anna M. Beliveau, Matron, 24 Central St.	" "
	Mary-Jane F. Boland, Matron, 35 E. Main St.	" "
	Nancy J. Sheppard, Hudson Rd. Bolton	" "
	Alvah Bugley - Eastleigh Property	" "
	1049 Edmonds Rd. Framingham	
	Lewis D. Maida, Southborough Town House	" "
	John W. Boland, Jr. Highway Department	" "
	Calvin J. Mauro, Highway Department	" "
	George R. Boothby, Highway Department	" "
	Albert J. Phillipio, Fayville Village Hall	" "
	Edward F. Brock, Civil Defense Director	" "
	James A. McCaw, Fay School Property	" "
	George A. Hubley, St. Mathews Church and	" "
	South Union School	
	Frank J. Mattioli, 40 E. Main St.	" "
	Francis J. Fiorvanti, 20 Central St.	" "

Spare Police Officers (Fireman for extra Detail Work only when assigned by Police Chief)

Fire Chief Edward F. Brock, 9 Latisquama Rd.	" "
Frank R. Aspinwall, 6 Winchester St.	" "

POLICE DEPARTMENT con't

<u>POSITION</u>	<u>NAMES & ADDRESS</u>	<u>TERM EXPIRES</u>
(Fireman for extra detail only when assigned by the Police Chief)	George F. Killam, 61 Richards Rd.	May 1982
	Peter F. Phaneuf, 179 Middle Rd,	" "
	Daniel F. Brock, 9 Latisquama Rd.	" "
	Stephen N. Foley, 78 Southville Rd.	" "
	David J. Dockstader, 260 Parkerville Rd."	" "
	James J. Colleary, 51 Central St.	" "
Armorer	VOTED to eliminate position of Armorer	
Custodian	Lewis D. Maida, 33 Main Street	" "

BOARDS AND DEPARTMENTS

Zoning Board of Appeals	Joseph F. Prior, Jr. 46 Atwood Rd.	May 1986
	Patricia B. Brewin (Alternate) 5 Newton Street	" "
	Frederick S. Tapper (Alternate) 18 Ted Lane	" "
Industrial Development Commission	Glenn A. Tessmer, 1 Bantry Rd.	May 1986
Conservation Commission	Richard V. Upjohn, 65 Deerfoot Rd.	May 1984
	Richard W. Heidebrecht, 15 Moulton Rd.	" "
	Alice Brenda Gaffney, 211 Middle Rd.	May 1983
	(to replace George Killam)	
Registrars of Voters	Sereno W. Johnson, 120 Northborough Rd.	May 1984
Youth Commission	Carolyn Connors, 1 Pinecone Lane	" "
	Paula S. Martin, 36 Flagg Rd.	" "
	Pamela A. Vorce, 79 Mt. Vickery Rd.	" "
Industrial Development Financing Authority	Louis J. Bartolini, 8 View Hill Rd.	April 1986
Southborough Council on Aging	Hamilton Armstrong, 15 Flagg Rd.	May 1984
	Ellen A. Boland, 37 E. Main St.	" "
Recreation Commission	Barbara D. Ramsdell, 26 Deerfoot Rd.	" "
	Margery C. Brown, 45 Marlborough Rd.	" "
Town Hall Users Work Group	Paul e Brefka, 196 Cordaville Rd.	May 1982
	Louis J. Bartolini. 8 View Hill Rd.	" "
	William G. Binder Jr (Water Dept.)	" "
	18 East Main St.	
	John W. Boland, Jr., (Highway Dept.)	" "
	12 Richards Rd.	
	George B. Pearse (former T.H. Renovation Committee) 7 Maplecrest Dr.	" "
	Judith Swartwood (former T.H. Renovation Committee) 80 Sears Rd.	" "
	Edgar A. Phaneuf, Jr., 171 Middle Rd.	" "
Ad hoc Committee to Study Drainage Problems in Town of Southboro	VOTED to dissolve June 16, 1981	
Ad hoc Committee to Examine the Worcester County Retirement System	VOTED to dissolve June 16, 1981	

Selectman Cipriano read aloud, in its entirety, a letter dated 6/10/81 from Michael J. Donoghue, Worcester County Treasurer, regarding County costs. A number of recent bills have been filed to eliminate some of the functions of County Government. Mr. Donoghue wished to express his views on their impact to the community, especially the financial impact that this is going to have. Selectman McAuliffe expressed his wish to accept legislation that would give the power of final approval of County budgets to the County Advisory Board that it makes no sense to have the State come in and take over the buildings. Selectman McAuliffe is in favor to allow the State to take these buildings over if it pays a fair rent for the use of those buildings. No one knows what a fair assessment would be at this time. This has passed the House. Selectmen agreed to send a letter to Senator Foley to voice their deep concern regarding the matters raised by Mr. Donoghue's 6/10/81 letter.

Selectmen discussed the Mental Health Clinic in Marlborough terminating the Outreach Counselor. Bonnie Idlis, Youth Commission Director, would like the Board of Selectmen to write a letter asking them to continue this service. Selectmen agreed to check with Marlborough's Mayor's Aide - Ron Guest - to ask the reason for this termination. Selectman Cipriano abstained from participating in this discussion due to the fact that he is Assistant City Solicitor for Marlborough.

STATE AGENCIES

Department of Public Works

Due to the fact that the Dept. of Public Works, Worcester, returned the Board's request for parking prohibition permit for East Main Street because its vote refers to house numbers, the Board signed the following revised vote: "That the Traffic Rules and Regulations of the Town of Southborough adopted on November 14, 1972, be and are hereby, amended as follows: By adding at the end of Article V, Section 5-6, the following new description: On East Main Street from Winchester Street to Walker Street on the southerly side." Motion was made by Selectman McAuliffe, seconded by Selectman Cipriano and Voted unanimously by voice vote. This vote is to be forwarded to the District Highway Engineer of the Department of Public Works, Worcester, with a copy to the Boston Department of Public Works Traffic Engineer, for approval by the State.

Department of Revenue

Letter of June 2, 1981 from Harvey J. Beth, Director of Accounts, Department of Revenue. Re: Audit for Year Ending June 30, 1981
The Bureau has included the Town of Southborough in its plans for Fiscal 1981 and has scheduled the initial phase of the audit to start in the month of June 1981.

Letter of June 8, 1981 from State Representative Joseph M. Navin Re: Enactment of the County Budget. Representative Navin expressed his endorsement giving the County Advisory Board authority over the budget. He filed legislation that pertains to this measure; and this was enacted with the House Budget last week.

SITE PLAN

June 2, 1981 letter from Attorney Charles B. Swartwood, III, Mountain, Dearborn and Whiting, Worcester, MA 01618
Re: A.J. Lane, Trustee; Westbrook Realty Trust; Site Plan Hearing, Proposed Office Building, Corner of Parkerville Road and Turnpike Road

ENCLOSED: Three revised plans reflecting many of the suggestions made by abutters and interested parties; (lighting, screening, etc.)

REQUEST: That the Board members review this plan and comment on the plan. If this plan is acceptable, then Attorney Swartwood asks that it be approved.

ACTION: Building Inspector and Chairman Bartolini reviewed the plans. They are to be returned to Attorney Swartwood to have them incorporate missing data. Mr. Lane will be contacted re a date for a final site plan hearing.

MEETING

South Middlesex Area Chamber of Commerce is forming a Hazardous Waste Committee which will meet on Tuesday, July 14, 1981 at 8:30 a.m. Chamber of Commerce Conference Room, 615 Concord Street, Framingham, Massachusetts. Administrative Assistant to attend meeting. SMAC wants to reappoint a representative from the Town.

ZONING PERMITS

June 3, 1981 letter from the Water Commissioners Re: Zoning Permits - Wells/Water Service At its June 2, 1981 meeting, the Board of Water Commissioners agreed that Zoning Permits showing wells will not have to be approved by its Board. Any Zoning Permit showing a water service will have to be approved by the Board of Water Commissioners.

TOWN BOARDS

May 27, 1981 letter to Town Clerk Paul J. Berry from Betty J. Davis, Administrative Secretary to Board of Assessors

The Board has organized for the year as follows:

Chairman: Arthur L. Sisson, Jr.

Clerk: Arthur K. Holmes

Charles W. Johnson

Public Hearing: Southborough Conservation Commission on Tuesday, June 16, 1981 at 7:30 p.m. in the General Offices

The applicant, Oakhill Construction, Inc. 41 Deerfoot Road proposes to construct a single family dwelling at (Lot 43 A) Parkerville Road, within 100 feet of a wetland.

Public Hearing: The Board of Appeals (Zoning) Monday June 29, 1981 at 7:30 p.m. in Hearing Room

Hearing is in regard to a petition of Paul and Stephanie Croci, 154 Marlboro Road for a variance from the frontage requirement of Section VI of the Zoning By-Law. (The property in question is the 22,450 square feet back portion of the lot located at 154 Marlborough Road; Residential B.)

Zoning Board of Appeals

Finding of Fact and Decision on Application for a Special Permit for James M. and Delia Mulvaney 30 Jerico Hill Road

The Board of Appeals held a public hearing: Tuesday, May 19, 1981 at 7:30 p.m. with regard to a petition for a special permit for James M. and Delia Mulvaney, 30 Jerico Hill Road. REQUEST: To construct a pond for agricultural purposes as provided in the Zoning-By-Law, Section VII-A, 8c. (Residential A District). DECISION: The Board voted unanimously to GRANT the special permit. Whereas the area is rural containing cattle farms and the pond will be fed by underground springs, the project is not detrimental to the neighborhood and does not derogate from the Zoning-By-Law for any residential zone in Southborough.

Zoning Board of Appeals

Request for Withdrawal: Meeting Monday June 8, 1981 at 8:30 p.m. David H. Davidson, Attorney for John Bartolini, requested to withdraw without prejudice the petition filed with the Town Clerk April 27, 1981 at 11:10 a.m. Petition was a request for a release from the terms of the variance dated November 17, 1978 for property located off Deerfoot Road south of Route 9. The Board of Appeals VOTED TO GRANT the withdrawal without prejudice on the condition that the petitioner, John Bartolini, not file a petition within the next four months.

PERMITS

Selectman McAuliffe made a Motion to approve renewal for 30 days temporary permit re office trailer at Edgewood Road on application of Joseph Cacciatore d/b/a Water Street Corporation (re Lots 1,2,3,4,6,8 Edgewood Rd.) Motion was seconded by Selectman Cipriano and VOTED by a unanimous voice vote.

Board discussed applications by Anthony H. Miller, 32 Cedar Street, Framingham to store a house trailer and a trailer for the storage of household goods on his property located on 176 Southville Road. Selectmen would like to have Mr. Miller discuss these with them at their meeting on June 23, 1981 at 7:30 p.m.

Selectmen signed two Street Openings: (1) to Commonwealth Gas Co. to make a repair to gas main at 7 Winchester Street. Work has been completed. (2) to Commonwealth Gas Co. to make a repair to gas line at #10 Lyman Street. Work has been completed.

Selectmen signed two Zoning-By-Law Permits (1) for Anthony A. Miller to build a single family dwelling at 176 Southville Road (Lot #2-48), and (2) for Michael J. Hagopian to build a single family dwelling at 127 Woodland Road (Lot 15-3A (combined Assessors' 3A & 3B)).

Board noted 6/10/81 letter from Ann Roche, Chapter Representative March of Dimes Birth Defects Foundation. Re: "Road Block" scheduled for June 13 or June 20, 1981 by the March of Dimes had to be postponed due to time restraints on the staff. It will be postponed to a mutually agreed upon date. DULY POSTED ON BULLETIN BOARD 6/11/81.

Chairman Bartolini signed the 1981 Dog Warrant to allow Dog Officer Charles F. Hamel to pick up unlicensed dogs.

APPOINTMENTS/RESIGNATIONS

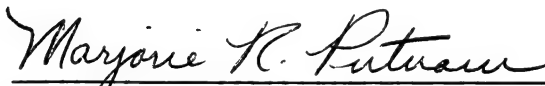
Board noted letter to Town Clerk Paul J. Berry from Lillian Kelleher, Clerk in the Accountant's Office Re: Resignation. Mrs. Kelleher is tendering her resignation as Clerk, Town Accountant's Office, effective July 10, 1981.

ACTION Letter of regret to be sent to Mrs. Kelleher.

Selectmen signed Treasury Warrants as follows:

TW	#216	in the amount of	\$ 34,243.49
TW	#217	in the amount of	\$ 770,000.00
TW	#218	in the amount of	\$ 64,598.80
TW	#219	in the amount of	\$ 286,501.86

9:51 p.m. At this time Selectman McAuliffe made a Motion to adjourn the meeting in the Hearing Room and move to Conference Room A in order to interview Barbara Wellman for the position of Treasurer/Collector. Motion was seconded by Selectman Cipriano and VOTED by a unanimous voice vote.



Marjorie R. Putnam, Secretary

mrp/mfm

MINUTES OF SPECIAL MEETING

BOARD OF SELECTMEN

Tuesday, June 16, 1981

Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman and Jean Bigelow, reporter for the Southborough Villager Newspaper.

9:55 p.m. Special meeting convened in Conference Room A for the purpose of interviewing applicant for Treasurer/Collector position.

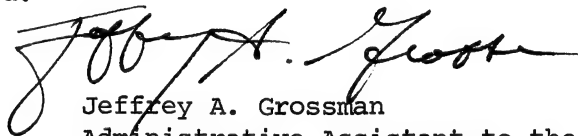
10:00 p.m. Board interviewed Barbara Wellman of 14 Parker Street, Southborough, Ma. to for the position of Treasurer/Collector.

10:20 p.m.

10:20 p.m. Ms. Wellman and Jean Bigelow left the meeting.

11:11 p.m. Selectman Mc Auliffe made a motion that Mary B. Guilford, 29 East Main Street, Southborough, Ma be appointed as Treasurer/Collector, effective July 1, 1981, to fill the unexpired term of Ruth C. Johnson, her term to expire May 1983. Motion was seconded by Selectman Aldo A. Cipriano and VOTED by a unanimous voice vote.

11:12 p.m. Meeting was adjourned.



Jeffrey A. Grossman

Administrative Assistant to the Board of Selectmen

jag/mfm

EMERGENCY MEETING
BOARD OF SELECTMEN

Wednesday, June 17, 1981

Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe
Selectman Aldo A. Cipriano, Administrative Assistant
Jeffrey A. Grossman and Town Counsel Frederick A. Busconi.

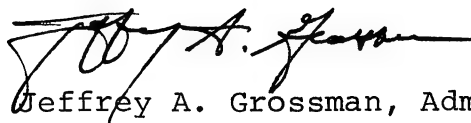
2:04 p.m. Meeting convened in Conference Room A of the Town House.
Mary B. Guilford met with the Board to discuss her position
of Treasurer/Collector. Mrs. Guilford had requested that
the Treasurer/Collector's position become a 40 hour per week position
with the demand fees being retained by the Town of Southborough rather
than the 30-hour per week position with the demand fees being retained
by the Treasurer/Collector as advertised on May 22, 1981.

The Selectmen asked Mrs. Guilford whether or not she had
reservations, specifically regarding the pay. Mrs. Guilford stated
that she failed to mention some of these problems during her interview.
Chairman Bartolini explained that at this time the Board of Selectmen
can't establish the Treasurer/Collector's position as a 40 hour work
week. Mrs. Guilford stated that she doesn't wish to work for 40 hours
and only be paid only for 30, and six months later
regret her decision to accept the position of Treasurer/Collector.
Selectmen stated the problem with the demand fees can be worked out to
the satisfaction of both parties. Mrs. Guilford stated that she was not
fair to the Board during the interview in that she did not mention
these problems. However, she will take the position as offered and
advertised on May 22, 1981. The Selectmen wanted assurance that she
will cooperate with the Board and the Administrative Assistant. Mrs.
Guilford stated that she will cooperate completely. Selectmen asked
whether or not she understood that the job as advertised on 5/22/81
was being offered to her and that she might have to work more than
30 hours per week. Mrs. Guilford stated that she did understand those
provisions.

2:41 p.m. Mrs. Guilford left the meeting.

At that time Selectman Cipriano made a Motion to instruct
Town Counsel to review the procedures utilized in collection and
retention of the demand fees as outlined in the Massachusetts General
Laws Annotated Chapter 60, Section 15. Motion seconded by Selectman
Thomas W. McAuliffe. Unanimous voice vote.

2:45 p.m. Meeting adjourned.



Jeffrey A. Grossman, Administrative Assistant

MINUTES

SPECIAL SELECTMEN'S MEETING

Tuesday, June 23, 1981

Conference Room A

Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano; Board of Health Chairman Philip G. Mauch and members Dr. Timothy P. Stone and Fred Douglas; Administrative Assistant, Jeffrey A. Grossman; Office Manager Grace T. Ryan; Clerk Dorothy M. Phaneuf; Mr. and Mrs. Anthony Miller; and members of the press: Jean Bigelow, Southborough Villager and Jan Gardner of the Middlesex News.

7:30 p.m. The Selectmen signed the Treasury Warrants and reviewed the mail while awaiting the arrival of Town Counsel Frederick A. Busconi, who would be attending the meeting the Selectmen had scheduled with Mr. and Mrs. Anthony H. Miller, 32 Cedar Street, Framingham, MA 01701, re their request for a Temporary Trailer Permit for 176 Southville Rd. It was noted that Town Counsel Frederick A. Busconi would be arriving a little late; therefore, the Board decided to go ahead with the meeting. Chairman Bartolini stated that Zoning-By-Laws of the Town of Southborough clearly defines in Section IV; Use Regulations, 2. Residence A and B Districts: (h) that automotive-type trailers can be used as living or business quarters in excess of 30 days if determined by the Board of Appeals to be neither detrimental nor offensive to the neighborhood. Mr. Miller had requested the trailer permit for a time period in excess of 30 days (60 days most likely.) He and his wife do not feel that they want to pursue the request to the Zoning Board of Appeals. Dr. Timothy Stone, Board of Health member asked if Mr. Miller had given thought to the disposal of the holding tank contents (toilet facilities). This is the main concern of the Board members. Mr. Miller asked for advice on how this would be managed. Dr. Stone stated that the Board has never issued this type of permit. He felt that the Millers had three options: 1) take it to a dumpster station; 2) hire a hauler; or 3) dispose of the material at the site.

7:50 p.m. Town Counsel arrived. Chairman Bartolini requested the opinion of Town to Counsel in this matter. Town Counsel stated that the Board has the

8:14 p.m. authority to issue a permit for 30 days only and he advises that the Millers should definitely go to the Zoning Board of Appeals because the request will indeed be in excess of the 30 day limit. (The Millers must be out of their home on Friday, June 26, 1981 and have nowhere else to go at the moment. They have tried to locate an apartment in Southborough to no avail due to the fact the landlords want a year's lease and no pets; the Millers do have an attack dog.) He asked the Board if he could at least obtain a storage trailer permit as he has materials and money tied up in this area and wants to protect his investment. The home will be built by Ridge who will take care of the whole procedure. The materials will be delivered in two bales (pre-cut). Selectman Cipriano asked Town Counsel why the Selectmen could not give approval of the storage trailer permit for thirty days. Town Counsel had stated earlier that he was against such approval and still was. Selectman McAuliffe made a Motion to deny the request for living quarters and give a 30 day permit for storage of home furnishings; then if necessary give another extension. Selectman Cipriano stated that he would like to review that request after the 30 days and then request another 30 days if the Millers desired same. Selectman McAuliffe said that he would like to "scratch" the above Motion and in its place: Motion to allow a 30 day permit for the storage of household goods;

recommending that the permit for living quarters be Denied; seconded by Selectman Cipriano and VOTED BY UNANIMOUS VOTE.

8:15 p.m. The Selectmen noted the request of Ashland Building Company, Inc., 9 Upland Road, Ashland, MA 01721 for a Temporary Office Trailer Permit at Carlin Machine Company, 12 Southville Road, for a construction office. This trailer will be on the premises for approximately 30 days. Selectman Cipriano made a MOTION to grant the request, seconded by Chairman Bartolini and APPROVED by unanimous VOTE of the Board of Selectmen.

8:25 p.m. The Selectmen met with Administrative Assistant Grossman and Office Manager Grace Ryan to discuss Program Budgeting. Selectman McAuliffe stated that he had no problem with its implementation; Chairman Bartolini would like to see it tried in-house first. The Advisory Committee has some reservations and the Office Manager felt that there should be some discussion back and forth to clarify any reservations. Selectman McAuliffe stated that someone should meet with the Advisory Committee and/or Chairman. Show the people where the money is going and what can be spent...will break it down to show what may have to go; what can be achieved and what the trade-offs are. He suggested that those departments under the jurisdiction of the Selectmen should be put under this plan. All three Selectmen agreed to these suggestions. The Board of Selectmen then endorsed the Program Budget System as presented by Jeffrey A. Grossman, Administrative Assistant, to be utilized by all departments under the jurisdiction of the Selectmen.

Selectman Cipriano questioned the appointment of the Armorer. Is this person aware he is not being reappointed? There is no longer a need for this appointment. (A letter was written to Frank P. Mabardy, 32 Deerfoot Road on June 24, 1981 stating that the Board had determined that the need for an Armorer for the Southborough Police Department no longer exists. As a result, the position has been eliminated).

Selectman Cipriano noted that he had received a complaint from Greg Supernovich, 8 Pleasant Street, Fayville, regarding the condition of Fayville Field. Office Manager Grace Ryan asked whether this is in regard to the field or the hoops, as the field is covered under a contract and the Recreation Commission handles such items as hoops, etc. It appeared that Mr. Supernovich was mainly referring to the equipment. The hoops have been replaced once by the Highway Department and are in disrepair already. Chairman Bartolini felt that the townspeople will have to be patient and bear with the constrictions imposed by Proposition 2½.

Chairman Bartolini read a letter from the Westborough Planning Board, Chairman Stephen Doret, extending an invitation to the Board of Selectmen to attend a meeting on June 24, 1981 to discuss the topic of developing a plan for the reuse of the state land at several locations in Westborough. The comments and opinions of the Board are considered essential to develop an acceptable plan. The meeting will be held in Westborough Town Hall at 7:30 p.m. (J. Gordon Stipe of the ad hoc Study Committee of Turnpike Road (Rte. 9) will attend this meeting and a member of Conservation will represent the Commission.)

The Selectmen discussed the Liquor License Transfer to Joseph Novick from Hong Chow d/b/a Marnok, Inc., Jake Lung Soo Hoo, Manager. As the documents were not in order at this time, they had been returned to Attorney Lemba's office for review.

and correction. Selectman Cipriano suggested that all documents be referred to Town Counsel Busconi, for his review as the papers were not in order under Chapter 138, Section 12. Chairman Bartolini stated that when the application package comes back then Selectman Cipriano's suggestion will be followed.

Selectmen signed Treasury Warrants as follows:

TW #	55	in the amount of \$	32.88	Federal Revenue Sharing
TW #	1	in the amount of \$	145.20	FY 82 Sal. Vac. Advance
TW #	30	in the amount of \$.04	CETA Title IV YCCIP
TW #	54	in the amount of \$	120,783.77	Federal Revenue Sharing
TW #	220	in the amount of \$	146,995.10	
TW #	221	in the amount of \$	1,050,928.74	
TW #	222	in the amount of \$	7,129.19	
TW #	223	in the amount of \$	268,278.65	
TW #	224A	in the amount of \$	233,000.00	
TW #	224	in the amount of \$	20,482.89	
TW #	225	in the amount of \$	920,000.00	
TW #	226	in the amount of \$	37,611.24	
TW #	227	in the amount of \$	25,841.20	
TW #	228	in the amount of \$	416.74	

8:48 p.m. VOTED to adjourn the meeting.

Dorothy M. Phaneuf
Dorothy M. Phaneuf, Clerk

dmp/mfm

MINUTES OF MEETING

BOARD OF SELECTMEN

Hearing Room

Tuesday June 30, 1981

7:30 p.m. Present.: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Clerk Dorothy Phaneuf, members of the press and an interested citizen.

7:45 p.m. Town Clerk Paul J. Berry requested that two jurors be drawn for Traverse Jury. Drawn were:

1. Frank W. Atchue, 6 Brook Lane
2. Frederick A. Ware, Jr., 60 Latisquama Road

The Selectmen signed a Zoning Permit for Paul and Jean Bigelow, 12 Bigelow road

Selectmen unanimously VOTED to renew for another 30 days a temporary permit for office trailers for the following:

Ronald J. Garcia
Shrubs and Trees Inc.
126 Turnpike Road

Michael Gulbankian
40 Mt. Vickery Road

Unanimously VOTED on the motion by Selectman Thomas W. McAuliffe, seconded by Selectman Bartolini.

8:00 p. m. Selectmen met in a joint meeting with the Planning Board to replace Margit Donath on the Planning Board (until May 10, 1982). Present from the Planning Board: Chairman James Denman, members Stephen Foley, and David Scattergood. Chairman Denman requested the help of the Board of Selectmen in making a selection. Selectman Cipriano asked if the Planning Board would like to have an engineer as a member. The Planning Board stated that it would like to have an engineer or a lawyer to sit on the Board. As two people were suggested as candidates, Selectman McAuliffe moved that the selection of a new member of the Planning Board be adjourned for two weeks: unanimously VOTED by voice vote.

Selectmen read correspondence while awaiting the arrival of the next appointment. Board noted June 22, 1981 letter from Ernest L. Kallander, 18 Meadow Lane, re the abandonment of the last 103 feet of Valley Road. Mr. Kallander noted that the Town voted in April 1980 to abandon the last 103 feet in order to enable a storage building to be put there, in cooperation with the M.D.C. to permit a sale or transfer of the Stony Brook Golf Course. Mr. Kallander stated that he is ^{still} waiting (15 months) for receipt of the deed and requests the aid of the Board of Selectmen in obtaining The Administrative Assistant was requested to see what the hold-up is, then inform Town Counsel to get the vote of the Town Meeting in order to convey to Mr. Kallander what is needed.

Chairman Bartolini read the June 19, 1981 letter addressed to Ashland Board of Selectman Chairman Rocco Annesi from Mr. and Mrs. David McGettrick, 310 Cordaville Road, Ashland.

Mr. and Mrs. David McGettrick, have filed a complaint against Muley's Food and Spirits, 1 Southville Road due to the noise level after 10:00 p.m. Thursdays through Saturdays. They suggested that a police officer be on duty outside the business establishment from 9:00 p.m. Thursday through Saturday until closing and that a proper closing for Muley's be ensured. It was noted that Muley's does employ a police officer (Thursday - Saturday). Chairman Bartolini stated that Sgt. William J. Colleary has spoken to Mr. Sthika (the owner) and feels that this coverage is adequate. Administrative Assistant Jeffrey Grossman was requested to write to Chairman Annesi and relate this information to him, and to respond to the complainant.

8:20 p. m. Selectmen met with Mrs. Judith Forster for a Site Plan Hearing, re 228 to Turnpike Road location to sell antiques and plants. Building Inspector
8:35 p. m. Edgar Phaneuf attended this Site Plan Hearing. Chairman Bartolini requested that she tell the Board what she is doing as she is operating a business without the proper Site Plan permits. Chairman Bartolini stated that her business is spread out all over the area in question; and he wondered why she had not contacted the Board sooner so that she would be aware of what the Town's Zoning By-Laws do or do not allow. Mrs. Forster presented an incomplete Site Plan lay-out which she had received from the owner of the property, Mr. Fitts. Selectman McAuliffe stated that no footage and curb cuts was indicated, nor lighting, signs, toilet facilities. Chairman Bartolini requested more information on the outlay of the building. He stated that the Board will accept the Plan if it contains all the pertinent information even though it may not be professionally done. An applicant is limited by the Town's Zoning By-Laws; Mr. Fitts, owner of the property, knows what the Town's By-Laws are and therefore, Mrs. Forster should go back and talk to him. Selectman McAuliffe wants violations taken care of immediately. Building Inspector Edgar Phaneuf was asked what he had observed upon inspection of the site. He responded that: there are signs everywhere, including on trees, furniture is spread out, material (a truck) is restricting visability on Route 9 and that there is no indication of curb cuts. Selectman McAuliffe recommended that the Building Inspector draw up a list of violations that exist as of this moment and present them tomorrow to Mrs. Forster that they may be taken care of immediately. Selectman Cipriano concurred and an appointment was set up between the Building Inspector and Mrs. Forster for the next morning at 11 am. Chairman Bartolini suggested that business be discontinued until the violations are cleaned up. Selectman Cipriano concurred; if the area is not cleaned up within a reasonable time, then the matter should be referred to Town Counsel. At this time Fred Douglas, 8 John Matthews Road stated that the string of lights overhead are too much for this area, and that he felt that the Building Inspector had clearly stated all other objections. Selectman Cipriano recommended that Mrs. Forster obtain a copy of the Zoning materials from the Town Hall so that she will know what her options are. The Planning Board agreed with the Building Inspector's list of violations.

Selectmen discussed correspondence from the former Chairman of the School Committee, re a bill the Committee had received from Bowditch and Dewey in the amount of \$6201.68 for professional services performed. Selectman McAuliffe stated firmly that this bill is a violation of the law and funding is unavailable; it would have to be earmarked for special purposes and it was not. Chairman Bartolini stated the the Board reviewed this request and cannot recommend payment.

8:45 p.m. The Board recessed during this time.
to
8:55 p.m.

Selectmen reviewed the remaining correspondence and signed the Treasury Warrants.

9:15 p.m. Selectmen held a Site Plan Hearing for Carlin Machine Company, Inc., 12 Southville Road, Ray Parabolicoli, Ashland Building (Contractor).

Mr. Parabolicoli gave a brief presentation, explaining that Carlin Machine constructed an addition to the building three years ago. At this time Carlin would be building directly over the Septic System; approval has been given by the Board of Health. However, the retaining wall was not approved by the Building Inspector. It was noted that the building was shortened 2' to maintain the 50' side line. The Building Inspector then gave his approval. Selectman McAuliffe moved that the Site Plan for Carlin Machine Company be approved as submitted; seconded by Selectman Cipriano and APPROVED by unanimous voice VOTE.

Building Inspector Edgar Phaneuf spoke briefly with the Board concerning a sign which is located on St. Mark's property (Main Street area) advertising "John Smith-Soccer Lessons". It was his suggestion that the Town should be able to charge \$15.00 for a sign permit. The Board agreed with this suggestion and requested the Building Inspector take care of the matter.

STATE LEGISLATURE

Board noted 6/16/81 letter from Senate Majority Leader Daniel J. Foley Re: Board's support for Senate Bill #247; Adoption of County Budgets by Advisory Boards.

Senate Bill 247 was referred to the House Committee on Counties, where it remains. Senator Foley will take the Board's views into consideration if and when the Senate Bill #247 comes to the floor of the Senate.

DEPARTMENT OF PUBLIC WORKS

The Board noted a 6/17/81 reminder Re: White Bagley/Break Neck Hill Roads Intersections at Route 9.

That the above-referenced intersection should be examined to determine how many street lights are necessary to illuminate this intersection sufficiently.

ACTION Board will hold to see what traffic committee can come up with.

TOWN BOARDS/DEPARTMENTS

POLICE DEPARTMENT Board noted a 6/17/81 letter from Sgt. William J. Colleary, Re: Radar on Route 9.

Lt. Boutello of the State Police Holden Barracks has been contacted regarding radar on Route 9, Southborough area. Radar will be put out in the Southborough area of Route 9 and White Bagley/Break Neck Hill Roads and Route 9 and Middle Road, East/West Bound.

TOWN ACCOUNTANT

Board noted a CERTIFICATION from Town Accountant Elaine M. Hinckley-June 26, 1981 that an audit of the books and accounts of Ruth Johnson, Collector of Taxes for the term from July 1, 1980 to July 1, 1983 was completed and she has duly and properly accounted for all moneys and other property for which she was responsible.

CERTIFIED: Statement of uncollected taxes outstanding on May 31, 1981.

APPOINTMENTS/RESIGNATIONS

Board noted a 6/15 letter to Town Clerk Paul J. Berry from Town Accountant Elaine Hinckley Re: Resignation

Town Accountant Hinckley is submitting her resignation, effective August 15, 1981. She and her family will be relocating to Arizona the first part of September.

ACTION: Send letter to Town Accountant.

Board noted 6/24/81 letter to Town Clerk Paul J. Berry from Dorothy M. Phaneuf, Re: Resignation as Clerk to Board of Selectmen.

Mrs. Phaneuf is submitting her resignation as Clerk to the Board, effective July 10, 1981; in order to accept a full-time position in the Town Accountant's office beginning July 13, 1981.

6/26/81 Letter Noted: To The Board of Selectmen, re above resignation.

Board noted 6/30/81 Letter to Town Clerk Paul J. Berry from Grace T. Ryan, Office Manager, Board of Selectmen.

Mrs. Ryan is resigning her position as Office Manager to the Board of Selectmen, effective August 7, 1981.

6/30/81 Letter Noted: To the Board of Selectmen, re above resignation.

UTILITY COMPANIES

Board noted a 6/26/81 letter from Frank C. Zolli, Southeast District Manager, Massachusetts Electric Company

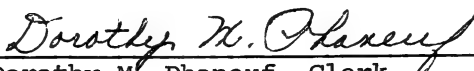
Re: Periodic Vegetation Management-Power Line Rights-of-way (Selective foliar)

The Mass. Electric Company and/or the New England Power Company have scheduled periodic vegetation management for power line rights-of-way according to the attached listing. (Westborough-Northborough Road and Northborough Road-Florence St.) The herbicides used for this work will be applied in a "selective foliar" method; tentatively set for August 3, 1981.

Selectmen signed Treasury Warrants as follows:

TW #229 in the amount of \$	34,367.84	
TW #230 in the amount of \$	21,100.55	
TW #231 in the amount of \$	183.69	
TW #232 in the amount of \$	1,520,000.00	
TW #233 in the amount of \$	62,385.74	
TW # 56 in the amount of \$	100,000.00	Federal Revenue Sharing
TW # 57 in the amount of \$	8.25	Federal Revenue Sharing
TW # 2 in the amount of \$	6,198.17	FY 1981-1982
TW # 3 in the amount of \$	275.00	FY 1981-1982
TW # 4 in the amount of \$	80,850.79	FY 1981-1982

9:27 p.m. VOTED to adjourn the meeting.


Dorothy M. Phaneuf, Clerk

MINUTES OF MEETING
BOARD OF SELECTMEN

TUESDAY, July 14, 1981

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McCauliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, and members of the press Ms. Toulia Vlahou of the Middlesex News and Ms. Lois Coit of the Worcester Telegram & Gazette, and interested citizens.

Reconvened joint meeting was held with the Planning Board regarding filling the vacancy caused by the resignation of Margit S. Donath. Members of the Planning Board present were: Chairman James B. Denman, Fred S. Ellis, David E. Scattergood, and Secretary Eleanor Stoddard. Selectman Cipriano named candidate Donald C. Morris, 45 Deerfoot Road, Southborough, a Civil Engineer currently employed by the U.S. Army Corps of Engineers as Resident Engineer on a \$20 million construction project in Boston. Mr. Morris has been a resident of Southborough for 29 years. Selectman Cipriano made a Motion that Donald C. Morris, 45 Deerfoot Road, Southborough be appointed as a member of the Planning Board until the next Town Election in May 1982. Motion was seconded by Selectman McCauliffe. Mr. Denman said he was very pleased with the candidate named. A roll call VOTE was taken as follows: 3 votes for Mr. Morris by the Planning Board members present and 3 votes for Mr. Morris by the Board of Selectmen present.

7:41 p.m. Planning Board left.

7:44 p.m. Board discussed with Lynnette Freeman her application for an Automatic Amusement Device License (Asteroids Video Machine) for the Family Convenience Store 155 Boston Road. A representative of Woburn Vendor, owner of the machine, was also present. Selectman Cipriano questioned the affect of this machine on the public health or welfare. Woburn Vendor said this machine is simply an amusement device and its sole purpose is for the enjoyment of anyone who wishes to spend 25¢. Average age of users of this type of machine are teenagers. Selectmen asked how many ^{machines} are in Town at present. Secretary Marjorie Putnam said there are 6 licensed automatic amusement devices in Town at present and 4 license requests before the Board tonight. Selectman Cipriano stated his concerns regarding the number of young children using the machines consistently and that he is not infavor of another license being granted. Chairman Bartolini said that the Board has received no complaints regarding these machines. Selectman Cipriano said he felt there were enough machines now and that any additional machines in the Town, in his opinion, would not serve the public purpose. Selectman McCauliffe made a Motion that the Automatic Amusement Device License as requested by Lynnette Freeman, be granted to the Family Convenience Store. Motion was seconded by Chairman Bartolini and VOTED by voice vote by Selectman McCauliffe and Chairman Bartolini. Selectman Cipriano did not vote.

Selectman McCauliffe made a Motion that Robert W. Spayne of 167 Parkerville Road, be appointed as Special Municipal Employee (as Advisory Committee member- under provisions of Chapter 268 A, Sections 1 & 17 of Mass. General Laws). Motion was seconded by Selectman Cipriano and VOTED by a unanimous voice vote.

8:07 p.m. Selectman McAuliffe made a Motion that Willard S. Putnam, 66 Mt. Vickery Road, Southborough, be appointed Town Accountant, for 3 yrs., effective August 16, 1981, to fill the unexpired three-year term of Elaine M. Hinckley. This appointment to be subject only to the passing of his physical examination. Selectman Cipriano seconded this Motion and it was VOTED by a unanimous voice vote.

Chairman Bartolini signed a letter to the Planning Department of Marlborough CETA to have Southborough placed on its list for possible jobs for the Town. Selectman McAuliffe again stated that he did not approve of CETA and Selectman Cipriano abstained from entering into the discussion as he is Assistant City Solicitor for Marlborough.

At this time the Board considered Joseph F. Prior, Jr.'s request for three Amusement Device Licenses: (1) Pak Man by Atari, (2) Polaris by Atari, and (3) Asteroids by Atari. These machines will be placed in the basement of Fitzgerald's General Store, 110 Southville Road. Selectman McAuliffe stated that to the best of his knowledge there has been no complaints with this type of automatic amusement device and that he has no objection to the issuance of these licenses. Selectman Cipriano stated that, as he stated before, he is not in favor of issuing any more amusement device licenses. He believes they are unnecessary. Selectman McAuliffe then made a Motion that these three amusement device licenses be granted to Fitzgerald's General Store as requested. Chairman Bartolini seconded the Motion and the licenses were GRANTED by a 2 to 0 voice vote. Selectman Cipriano did not vote. Selectman McAuliffe mentioned that the Police Department has been directed to check the licensed automatic amusement device establishments to make sure they do not violate any law. To date there have been no complaints and no problems reported.

Selectman McAuliffe expressed the Board's gratitude to Sergeant William J. Colleary, Jr., Regular Police Officer Danny Chernewski and Reserve Police Officers Craig Moran and Denson Satterfield for the time they have donated during the weekends on their own motorcycles checking houses which have been placed on the check list by citizens who plan to be out of town on vacation, etc. No expense was incurred to the Town. The Board appreciates what they have done. Chairman Bartolini said he also appreciates what these officers have done but is concerned regarding whether or not these people are covered by insurance. He believes they are not covered by insurance and the liability would rest on the Town of Southborough if an accident occurred and their own insurance ran out. The Board directed the Town Counsel to review the practice of Police Department personnel volunteering their services and private vehicles to determine if such persons and vehicles are insured by the Town for any and all perils. The Board directed a letter of commendation be sent to each of the officers.

The Board directed that a letter be sent to William J. Colleary, Jr., Officer-in-Charge, stating that drinking in public playgrounds and parks continues to be a problem. As a result, the Board instructs that the Town By-Law Article X, Section 10 and 11 be strictly enforced by the Police Department.

Chairman Bartolini informed the Board that according to Town Counsel Busconi the Worcester County Retirement Board is ready to make a decision on Police Chief Robert Goyette shortly and suggested to the Board that the position for Police Chief be advertised in the local newspaper as soon as possible and that a notice be placed in the pay envelopes of the Regular Police Officers. The process for choosing a police chief takes so much time that the process should be started now, stated Chairman Bartolini. Selectman McAuliffe stated he wants to promote within the Department, that his candidate is firm in his mind. Selectman Bartolini stated he would like to advertise. The applicants can be told that the position cannot be filled for at least five or six weeks. Selectman Cipriano and Selectman McAuliffe were concerned with the date the decision will be announced and what the decision of the Retirement Board will be. Selectman Cipriano agreed that the position should be advertised in the local newspapers but questions the time for doing so. He would like to wait until more information is received from the Retirement Board. The unexpected could happen. He would like to wait at least another ten days to see what happens. Selectman McAuliffe stated that no decision will be made regarding the applicants until a decision is received from the Retirement Board.

8:41 p.m. Administrative Assistant Jeffrey Grossman left the Hearing Room to meet with the Personnel Board on the first floor.

Discussion continued re the advertising of the Police Chief's position. Selectman McAuliffe made a Motion that the Board instruct Administrative Assistant Jeffrey Grossman to advertise for the position of Chief of Police in the local newspapers. Motion was seconded by Chairman Bartolini. Motion carried: Chairman Bartolini voted "Aye"; Selectman McAuliffe voted "Aye"; Selectman Cipriano voted "Present". Chairman Bartolini stated that the Board will not advertise in the Boston newspapers for the Chief's position. When questioned by reporter Lois Coit, Selectman McAuliffe announced that his candidate is Sergeant Colleary who has been 18 years with the Police Department and has been in charge of this department on numerous occasions. Selectman McAuliffe feels that he has done an outstanding job and feels that he will do an outstanding job if he receives the appointment. Chairman Bartolini stated that he had no candidate, that through advertising he will interview and then pick out the best person for the position of Chief of Police. Selectman Cipriano also said he had no candidate and has formed no opinion as to any specific candidate, that he will review all applications and be objective. The Board stated that it has not received the petition signed by the townspeople asking for the appointment of Sgt. Colleary as Police Chief. The reporters questioned as to what they were looking for in a Police Chief. Chairman Bartolini answered - a strong heart, a certified police officer, and one with general administrative abilities. When asked if a handicapped person would be considered, Chairman Bartolini stated that unless he could fulfill the requirements of a police chief he can't be considered. There is no age limit, no sex discrimination. In answer to several questions by the press Chairman Bartolini stated "if he (Chief Goyette) has been turned down, we would have to terminate him". Yes, he is a resident of Massachusetts.

APPOINTMENTS/RESIGNATIONS

Board noted 6/29/81 letter from Wendy Otavsky resigning from the Advisory Committee effective 7/1/81.

Board noted 7/1/81 Letter from Town Moderator Joseph McManus appointing Robert W. Spayne, 167 Parkerville Road, to a one year term on the Advisory Committee (term expiring May 1982) filling the vacancy caused by the resignation of Wendy Otavsky.

STATE AGENCIES

Department of Public Works July 9, 1981 letter from District Highway Engineer, DPW, Worcester, reiterating his position relative to the median openings at the Rte 9 intersections of White Bagley/Break Neck Hill Roads and Middle Road. These two intersections do not meet the warrants as stated in the Manual on Traffic Control Devices for traffic control signals and therefore he cannot recommend traffic lights at either location.

TOWN DEPARTMENTS

Police Department 7/7/81 letter from Cumberland Farms Dairy, Inc. expressing appreciation to the department, in particular Sgt. Colleary and Sgt. Waller re the cooperation extended to Cumberland Farms in an investigation on June 23. Both officers assisted with confident expertise and professionalism.

STATE LEGISLATION

Worcester Co. Advisory Board July 8 letter from Worcester County Commissioners actively supporting the legislation which would transfer control of County Government to the local Advisory Board.

June 16 letter from Senator Foley re Senate Bill 247 relative to the adoption of county budgets by advisory boards.

June 8 letter from Representative Joseph Navin re S.247 stating that he filed legislation re the County budget and it was enacted with the House Budget last week.

Town Department

Police Department Board noted 7/13/81 memo from Grace Ryan, Office Manager, regarding problems with the playing fields which have been brought to her attention --- litter problem seems to be increasing from lunch-time users and from broken beer bottles especially at Mooney Field. ACTION: Administrative Assistant Grossman to follow up with the Police Department to enforce no drinking on playing fields, asking the Police Department to increase the checkups on the fields.

ROAD OPENING PERMITS

On July 7 th the Selectmen signed three Road Opening Permits as follows:

1. To Commonwealth Gas company to install a gas main, excavation from July to October 1981 on Parkerville Road (north side)
2. To Commonwealth Gas Company to relay existing gas main from 5/11 to 7/11 on East Main St. (from Winchester St. to 36 E. Main Street)


To Oak Hill Construction, Inc. to install drains and water pipe on Parkerville Road to be completed on or before 8/1/81. Bond in the amount of \$3,000 posted by John Bartolini, President.

Board of Selectmen signed the following Treasury Warrants as follows:

#234	Fiscal	1981	\$	10,088.66
#235	"	"	\$	87,725.44
#236	"	"	\$	12,896.61
#237	"	"	\$	52,181.80
#238	"	"	\$	459.10
#239	"	"	\$	895.94

#58	Federal Revenue Sharing		\$	11.55
#59	"	"	\$	456.97
#5	Fiscal	1982		12,128.55
#6	"	"	\$	443.76
#7	"	"	\$	10,810.10
#8	"	"	\$	6,277.31
#9	"	"	\$	38,679.32
#10	"	"	\$	37,518.08
#11	"	"	\$	22,824.21

9:00 p.m. Selectmen VOTED unanimously to adjourn the meeting.


Marjorie R. Putnam, Secretary

mrp/mfm

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, July 28, 1981

- 7:30 p.m. Chairman Louis J. Bartolini, Selectman Thomas McAuliffe, Selectman Aldo Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, members of the press and interested citizens were present.
- 7:30 p.m. First meeting convened. Present: Police Chief Robert A. Goyette; his attorney Donald P. Feldman, and Town Counsel Frederick A. Busconi. Attorney Feldman asked for an Executive Session to discuss personalities.
- 7:31 p.m. Sel. McAuliffe made a Motion to go into Executive Session under the Open Meeting Law, Section 11B, subsection (3) to discuss pending litigation. Sel. Cipriano seconded this Motion and it was VOTED by a unanimous voice vote. Sel. McAuliffe further stated that the meeting will reconvene at the conclusion of the Executive Session. Town Counsel Busconi stated that due to a suit pending in Worcester, the Selectmen are allowed to go into Executive Session to discuss this matter. Selectmen left the Hearing Room to meet in Executive Session in Conference Room A.
- 8:09 p.m. Selectmen returned to the Hearing Room and reconvened the meeting. Selectmen announced that no votes were taken during Executive Session.
- 8:10 p.m. Sel. McAuliffe announced that bids for microfilm jacket loader and viewers were opened on July 27, 1981. Two bids were received: (1) from Associated Microfilm Management Services, Inc. of Rhode Island, and (2) from Spaulding Company, Inc. of Stoughton, MA. Sel. McAuliffe made a Motion that the Board take these two bids under advisement. Motion was seconded by Sel. Cipriano and VOTED by a unanimous voice vote.
- 8:13 p.m. Board met with Fred A. Colombo, Site Facilities Manager, to Data General of Southborough. Mr. Colombo stated that
8:15 p.m. his company is installing a new telephone system in Southborough and requests permission to put up two poles on Data General property, and to extend a telephone cable across Washington Street connecting Data General Corp. buildings number 6 and 12. The cable will be 22 feet above the road. Since there were no objections, Sel. McAuliffe made a Motion to grant said permission to Data General Corp. Motion was seconded by Sel. Cipriano and VOTED by a unanimous voice vote.
- 8:15 p.m. Joseph Prior, Jr., owner of Fitzgerald's General Store, to Southborough, presented a petition to the Board of Se -
8:30 p.m. lectmen, said petition containing 1,433 signatures. Signatures are registered voters, residents of the Town

and businesses who pay taxes in the Town of Southborough. The petition is asking the Board of Selectmen to appoint as Police Chief, Sergeant William J. Colleary, Jr. Mr. Prior stated that Sgt. Colleary has had 18 years of experience with the Town and deserves the appointment. Mr. Prior presented each Selectmen with a copy of the petition. Chairman Bartolini accepted the petition in the theme in which it was presented and stated that the Board still intends to advertise this position and that the Board will pick the most qualified applicant. Sel. McAuliffe stated he was delighted with the results of the petition and stated that his vote remains the same (for Sgt. Colleary as Police Chief). Mr. Roger Poole stated that in private business it is common practice to promote from within, that Sgt. Colleary has 18 years of experience with the force, has done a creditable job, and his "longest suit is his sense of social judgment". He has been called on as acting chief without additional pay about 15 or 16 times through the years. Several other citizens, Stephen Foley, 78 Southville Rd., Bob Somers, 84 Sears Rd., and Rod Morrison, 257 Cordaville Rd., spoke re the services that Sgt. Colleary has performed for them and the Town through the years.

8:30 p.m. Bid Opening re supplying heating oil to the Town of South-
to borough. Two bids were received:

8:33 p.m.

1. from MASSBAY PETROLEUM, INC., 12 South St., Westboro, MA

Price Per Gal. Del.	Tank Car Boston	Escalation Price
<u>\$1,0640/gal. del.</u>	<u>\$1.0340</u>	<u>\$.03 gal. del.</u>

2. from James W. Faconi, 29 Boston Rd., Southborough, MA

\$1.16 gal. del.	\$1.0340	\$.1260 gal. del.
------------------	----------	-------------------

Sel. McAuliffe made a Motion that the Board take these bids under advisement. Motion was seconded by Sel. Cipriano and VOTED by a unanimous voice vote.

8:40 p.m. David Smith of Southborough at this time presented his petition to the Board of Selectmen stating that all his petitions have not been returned to him. When he receives them, he will see that the Board gets a copy. His petition asks the Selectmen to keep an open mind in selecting a new Police Chief. He does not believe the whole Town is crying for Sgt. Colleary to be appointed as Police Chief

8:48 p.m. All discussion re selection of a new Police Chief ended.

Selectmen signed 1981 32B Blue Cross/Blue Shield Agreement for the Town of Southborough.

Selectmen Cipriano discussed a complaint he had received regarding the cutting of the grass at Fayville Field. Board directed Admin. Asst. Grossman to notify Doug Curtiss that he is not cutting the grass back to the fence as it should be.

9:00 p.m. Hearing on Petitions by New England Telephone and Mass. Electric Co.:

1st
petition: to place four (4) poles as follows: Parkerville Rd. beginning at a point which is approximately 775 ft. southerly of the Boston-Worcester Turnpike and continuing southerly (2 jointly-owned poles to be abandoned) as per Petition Plan No. 961013 dated 7/8/81. Re-presenting the NET was Wesley E. Wallace, Outside Plant Supervisor - Right of Way.

2nd
petition: to place one (1) pole on Main St. at a point which is approximately 185 ft. easterly of Johnson Rd. as per Petition Plan #961007 dated 7/8/81.

3rd
petition: NET desires to purchase $\frac{1}{2}$ interest in Mass. Elec. poles as shown on Plan No. 961007 dated 7/8/81 as follows: Johnson Rd. beginning at a point which is approximately 130 ft. northerly of Main St. and continuing northerly two (2) poles; and Main Street at a point which is opposite the northeast corner of Main St. and Johnson Rd. one (1) pole.

Sel. McAuliffe made a Motion to grant above three petitions. Sel. Cipriano seconded this Motion and it was unanimously VOTED by voice vote.

Selectmen discussed the final procedure in the Selectmen's process for the upcoming appointment of Chief of Police. Chairman Bartolini wants to advertise, hire a psychologist, have written exams. Sel. McAuliffe was not in favor of spending the large amount of money it would take to go that route. Admin. Asst. Grossman informed the Board that the last hiring in 1979 cost the Town about \$2,000 for the psychologist and \$1,000 for the written test for five people. Selectmen discussed the value of the information received from the psychologist and the written tests. Sel. McAuliffe said these tests might help regarding the out-of-town applicants.

Chairman Bartolini stated that to be an equal opportunity employee, you cannot restrict this position to just within our community. Sel. McAuliffe said he did not know of any law which prohibits the Town from promoting from within.

Sel. Cipriano takes all information into consideration, information from resumes, interviews, examinations, etc. He needs as much information as is available regarding each applicant. Sel. Cipriano stated he does not want to take money out of the Police Budget if possible. Chairman Bartolini said it might be possible to ask for a transfer from the Reserve Fund if the Advisory Committee approved the request. It would be considered an emergency cost. Admin. Asst. Grossman informed the Board that there is money available in the Police Budget as there has been a saving due to not paying @ \$500/week to a Chief. Sel. Cipriano does not want to use any public safety money if possible. Chairman Bartolini repeated that he still

wants to proceed with the advertisement, proceed with the tests, and proceed with the doctor but since the Board seems to be at an impasse', this matter will be discussed at the Board's next meeting.

Reporters questioned the Selectmen as to what was discussed at their Executive Session. Selectman Cipriano answered that both sides explained their position regarding the upcoming litigation in the Fall. The Selectmen made their position clear and may meet again. Chairman Bartolini stated the Board had hoped for an early resignation, thought it might be received this evening.

A gentleman from Radio Staton WSRO asked if Robert Goyette was still Chief of Police as of this date. The Board answered in the affirmative. The Selectmen have asked Goyette to resign. He has not responded to date to this request. Town Counsel informed reporters that he would prefer not to answer any other questions and advised the Board to do so. The Board at this time stated that it was inadvisable to answer any further questions.

CORRESPONDENCE

APPOINTMENTS/RESIGNATIONS

Sel. McAuliffe made a Motion to appoint Janice C. Conlin, 20 Pinecone Lane, Southborough, MA as Office Manager for the Selectmen's Office, effective August 17, 1981, to fill the vacancy caused by the resignation of Grace Ryan. Sel. Cipriano seconded the Motion and it was unanimously VOTED by voice vote by the Board.

Sel. McAuliffe told the Board he would like to correct the Motion of July 14, 1981 regarding the appointment of the new Town Accountant, the new corrected Motion to be as follows: "I move to appoint Willard S. Putnam, 66 Mt. Vickery Road, Southborough, MA as Town Accountant, to fill the unexpired three-year term of Elaine M. Hinckley, effective August 16, 1981." Sel. McAuliffe explained that on July 14, 1981 the Motion stated "for a three-year term" and the General Laws state the unexpired term must be filled first. Sel. Cipriano seconded the corrected Motion and it was unanimously VOTED by a unanimous voice vote.

July 21, 1981 letter from George B. Pearse informing the Board that he cannot accept appointment to the Town Hall Users Work Group as he now is a resident of Westborough.

LICENSES/PERMITS

Request for two one-day Special Licenses was received from Norman Buzzell, Chairman of the Southboro's Men Softball Team for Saturday, August 8, 1981 and for Sunday, August 9, 1981, for a tournament to be held at Choate Field from the hours of 12 noon to 11 p.m. each day. Sel. McAuliffe made a Motion to grant these two Special Licenses. Motion was seconded by Sel. Cipriano and unanimously VOTED by a unanimous voice vote.

The following Zoning By-Law Permits were signed by the Selectmen for

Paul E. Collins, Trustee, Casey Collins Realty:

33 Overlook Drive	Lot (76-86)
35 Overlook Drive	Lot (76-87)
31 Overlook Drive	Lot (76-85)

Borough Corporation, Vahan Sarkisian, President

3 Ledge Hill Road	Lot (75-54)
4 Ledge Hill Road	Lot (75-49)
5 Ledge Hill Road	Lot (75-53)

Selectmen discussed three requests for temporary office trailer permits:

- (1) renewal of permit for Carlin Machine Co., 12 Southville Road for another 30 days;
- (2) renewal of permit for Water Street Corp., Edgewood Road for another 30 days;
- (3) new temporary permit for Eugene O'Brien to store a materials storage trailer for 30 days at 153 Main Street.

Motion was made by Sel. McAuliffe to grant above temporary 30-day permits.

Motion was seconded by Sel. Cipriano and VOTED by a unanimous voice vote.

POLICE DEPARTMENT

Board noted July 28, 1981 letter from Charles Keller, President of the Southborough Police Association expressing the Association's feeling that the Board should consider promotions to higher ranks from within the department.

ZONING BOARD OF APPEALS

Board noted ZBA Hearing Notices (1) 7:30 p.m. hearing on Monday, August 3, 1981 on petition of R. Robert Scagnetti, 7 Crestview Dr., requesting a setback variance for a solar greenhouse in Resident B; and (2) 8:00 p.m. hearing on Monday, August 3, 1981 on petition of Richard and Beverly Jafferian, 176 Woodland Road, requesting a setback variance from Woodbury Street.

FEDERAL AGENCIES

The Board noted July 28th memo from Grace Ryan to Admin. Ass't Grossman re: Flood Plain Insurance lists three ways the Town can meet compliance with the Flood Insurance Program of the Government.

ACTION: After discussion with Town Counsel Busconi, the Board elected to ask the Board of Health to adopt this regulation in its Code until the Town can have the Zoning By-Law changed by Town Meeting in 1982. Board of Selectmen will discuss this matter with the Board of Health as soon as possible.

The following Treasury Warrants were signed by the Board:

TW # 1	Revenue Sharing	\$282.18
TW #12	in the amount of	\$200,000.00
TW #13	in the amount of	\$ 10,413.41
TW #14	in the amount of	\$ 19,965.82
TW #15	in the amount of	\$ 16,774.48
TW #16	in the amount of	\$ 1,000.00
TW #17	in the amount of	\$230,000.00
TW #18	in the amount of	\$ 5,922.80
TW #19	in the amount of	\$ 39,398.24
TW #20	in the amount of	\$ 15,190.26

9:44 p.m. VOTED: to adjourn the meeting.

Marjorie Putnam
.....
Marjorie Putnam, Secretary

MINUTES OF SPECIAL MEETING
OF BOARD OF SELECTMEN

Saturday August 1, 1981

10:30 a.m. Meeting convened in Conference Room A of the Town House. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, and Selectman Aldo A. Cipriano. Two reporters were present: Christine Dunn of the Middlesex News and Jan Brogan of the Worcester Telegram and Gazette. No one else was present.

Chairman Bartolini read a letter dated August 1, 1981 from Robert A. Goyette in which he resigned as Chief of Police effective immediately.

Selectman McAuliffe made a Motion that the Board accept the resignation of Robert A. Goyette as Chief of Police effective August 1, 1981. Motion was seconded by Selectman Cipriano and VOTED by a unanimous voice vote.

There was a lengthy discussion regarding the vacancy of Chief of Police caused by the resignation of Robert Goyette.

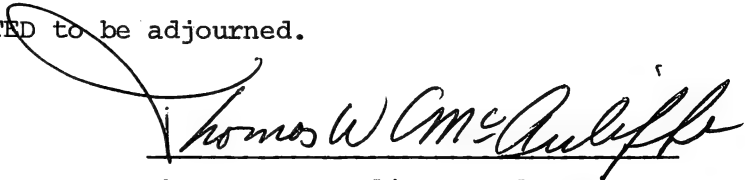
Selectman McAuliffe made a Motion that a memorandum be sent to the Southborough Police Department informing them that applications for promotion to Chief of Police will be accepted by the Board of Selectmen, interviews held and a decision to be made as soon as possible. Motion was not seconded. It did not pass.

Selectman McAuliffe made a Motion that Sergeant William J. Colleary Jr., be appointed to fill the unexpired term of Police Chief in the Town of Southborough as a result of the resignation of former Chief Goyette. Motion was not seconded. It did not pass.

Selectman Cipriano made a Motion that the Board hold written examinations, hire a psychologist and advertise in the Middlesex News and Worcester Telegram for three consecutive days and that each full time regular police officer be notified that this position will be advertised as stated in this vote. This Motion was seconded by Chairman Bartolini and MOTION PASSED by a 2 to 1 vote, Chairman Bartolini and Selectman Cipriano voted for and Selectman McAuliffe voted against the Motion.

Selectman Cipriano made a Motion that the expenses incurred in filling the position of Chief of Police is to be charged to the Police budget. Motion was seconded by Chairman Bartolini and MOTION PASSED by a 2 to 1 vote. Chairman Bartolini and Selectman Cipriano voted for the Motion. Selectman McAuliffe voted against the Motion.

11:50 a.m. Meeting was unanimously VOTED to be adjourned.



Thomas W. McAuliffe, Selectman

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday August 11, 1981

Hearing Room

7:30 p.m. Meeting convened. Present: Chairman Louis J. Bartolini, Selectmen Thomas W. McAuliffe and Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, Lois Coit of the Worcester Telegram and Gazette, Building Inspector Edgar A. Phaneuf.

<u>Treasury Warrants Signed:</u>	\$ 22,155.32	TW #21	\$ 52,136.19	TW #28
	\$920,000.00	TW #22	\$ 20,059.69	TW #29
	\$ 10,799.91	TW #23	\$ 10,967.07	TW #30
	\$ 25,176.59	TW #24	\$ 39,372.79	TW #31
	\$ 483.53	TW #25	\$ 30,832.79	TW #2 Rev. Sharing
	\$ 40,002.76	TW #26	\$ 3,142.60	TW #3 Rev. Sharing
	\$ 6,646.88	TW #27		

PERMITS GRANTED

1. Unanimous vote renewing ^{for} another 30 days temporary office trailer permit at Lot 14, Ledge Hill Road requested by Vahan Sarkisian d/b/a/ Borough Corporation.
2. Board approved a Zoning By-Law Permit for Silvio Richard to build a single family dwelling at 179 Main Street (Assessors lot No. 50-11A).

LICENSES - APPROVED/DISAPPROVED

1. Unanimous vote: Hold on application for Automatic Amusement Device License requested by Jeff Anderson d/b/a Southville Market, 90 Southville Road. Ask him to attend next meeting of Selectmen on August 25, 1981.
2. Unanimous vote to grant 1-day Special License to Susan Rowland (Lic. #24-81) for wedding reception at Fayville Hall on August 29, 1981 from 7 pm to 11 pm.
3. Class I License granted to Robert P. Farrell dba Farrell Motors, Inc., 78 Turnpike Rd., Fayville (See first appointment for details.)

APPOINTMENTS MADE:

Unanimous votes : 1. 1981/1982 Election Officers, as submitted by Henry Welch, Chairman of the Democratic Town Committee as follows:

Precinct I (Days)

Catherine Gralton, 41 East Main St.
Lorraine C. Gasparoni, 8 School St.
Lois W. Denma, 42 Flagg Rd.
Eileen L. Salmon, 2 Howes Court
Agnes Pietrasiak, 32 Framingham Rd.

Julia I. Fitzgerald, 76 Marlboro Rd.
Mary Rourke, 3 Cordaville Rd.
Carol A. Welch, 22 Main St.
Lisa Welch, 22 Main St.
James B. Denman, 42 Flagg Rd.

Precinct I (Days) Continued

Joseph A. Decenzo Jr., 28 Framingham Rd.
Virginia L. Dicenso, 28 Framingham Rd.
Donna L. Manning, 12 Foley Drive
Elizabeth C. Bigelow, 30 Bigelow Rd.

Mary-Jane F. Boland, 35 East Main St.
Edna R. McGillicuddy, 24 Parkerville Rd.
Margaret A. McCarthy, 13 Latisquama Rd.

Precinct I (Nights)

Janet M.E. Mattioli, 42 East Main St.
Mary A. McCann, 36 Boston Rd.
Ruth M. Anketell, 38 Boston Rd.
Jacqueline G. Aspesi, 57 Central St.
Patricia B. Brewin, 5 Newton St.
Lena A. Carloni, 82 Newton St.
Colleen A. McAuliffe, 132 Marlboro Rd.
Marjorie A. Mc Auliffe, 132 Marlboro Rd.

Lorraine C. Keller, 87 Turnpike Rd.
Joan M. Misener, 8 Latisquama Rd.
Jean M. O'Brien, 10 East Main St.
Sheila C. Wilson, 4 Middle Rd.
Ruth O. Berry, 6 Cherry St.
Ethel B. Wright, 15 Central St.
Inez Busconi, 92 Framingham Rd.

Precinct II (Days)

Fred J. Quinn, 10 Richards Rd.
Rita A. Quinn, 10 Richards Rd.
Florence P. Slack, 229 Parkerville Rd.
Anne Sarkis, 175 Parkerville Rd.
Frances M. Spayne, 167 Parkerville Rd.
Elizabeth Hagopian, 129 Woodland Rd.

Barbara H. Dorr, 15 Gilmore Rd.
Barbara L. Mullins, 41 Atwood Rd.
Ann McDonald, 6 Carolyn Terrace
Anne M. Merloni, 34 Edgewood Rd.
Ann E. Brennan, 16 Moulton Rd.
Patricia Faldetta, 14 Oak Hill Rd.

Precinct II (Nights)

Gloria M. Aspesi, 70 Turnpike Rd.
Marguerite R. Aspesi, 70 Turnpike Rd.
Irene L. Maguire, 175 Cordaville Rd.
Lena Baldelli, 176 Cordaville Rd.
Benita M. Hubley, 103 Southville Rd.
Helen Meleones, 71 Oak Hill Rd.
Eleanor E. MacLauchlan, 93 Southville Rd.
Ronetta J. Monroe, 53 Southville Rd.

Caroline Pessini, 4 Maple St.
Alice A. Tomasetts, 193 Woodland Rd.
Margaret A. Benson, 9 Mt. Vickery Rd.
Marie Kensinger, 4 Maple St.
Mary E. Mooney, 35 Highland St.
Joan I. Ellsworth, 3 Summit Rd.
Kathleen B. Bartolini, 8 View Hill Rd.
Rita J. Bertonassi, 10 Maple St.

2. 1981/1982/ Election Officers, as submitted by Charles Wood,
Chairman of the Republican Town Committee, as follows:

Precinct I (Days)

Hamilton Armstrong, 15 Flagg Rd.
Helen L. Toomey, 89 Framingham Rd.
Ethel N. Armstrong, 15 Flagg Rd.
Susanne S. Dumont, 15 Latisquama Rd.
Marjorie N. Spurr, 12 Lyman St.
Alphonsina A. Torcoletti, 34 Latisquama Rd.
Dorothy J. Craig, 49 Boston Rd. Apt. 2C

Joan L. Weir, 11 MacNeil Dr.
Audrey A. Bousquet, 94 Middle Rd.
Eleanor W. Watkins, 17 Ward Rd.
Elaine W. Beals, 2 Chestnut Hill Rd.
Elizabeth A. Woodworth, 103 Fram. Rd.
Maria L. MacNeil, 16 Newton St.

Precinct I (Nights)

Sondra L. Rynning, 11 Ward Rd.
Gladys R. Binder, 18 East Main St.
Natalie J. Fantony, 51 Turnpike Rd.
Helen F. Rego, 22 Deerfoot Rd.
Catherine D. Alsterlund, 82 Middle Rd.
Marilyn M. Aspesi, 3 MacNeil Dr.

Cherine N. Pond, 4 Upland Rd.
Judith A. Kallander, 32 Latisquama Rd.
Helen M. Thibeault, 3 Flagg Rd.
A. Jean McCaw, 19 Middle Rd.
Sylvia A. Lansberg, 17 Strawberry Hill Rd.
Patricia A. Aspinwall, 6 Winchester St.

Precinct II (Days)

Walter F. White, 20 Oregon Rd.
John L. Hopkins, 10 Carolyn Terrace
Gertrude M. Phaneuf, 3 Pearl St.
Lydia A. Kiley, 26 Edgewood Rd.

Mary E. White, 20 Oregon Rd.
Jean E. Dezarn, 92 Oak Hill Rd.
Dorothy T. Wood, 9 Cottage St.

Precinct II (Nights)

Madeline L. Gracia, 17 Harris Dr.
Gail M. Hoss, 184 Middle Rd.
Rae T. Kay, 18 Gimore Rd.
Marjorie A. Putnam, 66 Mt. Vickery Rd.
Janice E. Norcross, 213 Parkerville Rd.
Janice M. Monroe, 156 Woodland Rd.

Alice D. Gulbankian, 40 Mt. Vickery Rd.
Marguerite J. Clifford, 195 Parkerville Rd.
Maxine Juliano, 35 Atwood Rd.
Kenneth E. DePaul, 12 Woodbury Rd.
Deborah J. DePaul, 12 Woodbury Rd.
Linda D. Gibson, 12 Bryden Rd.

RESIGNATION(S) RECEIVED:

August 1, 1981 letter addressed to Town Clerk Paul J. Berry from Robert A. Goyette in which he resigned, effective immediately, as Chief of Police for the Town of Southborough.

OLD BUSINESS:

(1) Forster Site Plan Selectmen discussed the continuing problem with the site plan of Mr. and Mrs. John Forster re their business at 228 Turnpike Road. Site Plan Hearing was held on June 30 and site plan not approved as the plan was not in proper form and several violations were relayed to the Forsters. The Building Inspector has tried to correct some of these violations and has been successful to a degree. However no revised site plan has been submitted to the Board as requested at the Site Plan Hearing and on August 5 via a letter delivered to them by the Police Department. They were given until August 7 by 10 a.m. to deliver a revised site plan.* Therefore, Selectman McAuliffe stated that in light of the fact that the revised site plan was not received by the Selectmen's Office in accordance with the August 7, 1981 deadline, that he moves that if the revised site plan is not received by the Selectmen's office by Friday, August 14, 1981 at 10 a.m., the Board of Selectmen shall issue a Cease and Desist Order. Motion was seconded by Selectman Cipriano and unanimously VOTED (by voice vote) by the Board. A letter is to be delivered by the Police to Mr. and Mrs. John Forster ordering them to Cease and Desist all business activity conducted at 228 Turnpike Road as of 12 P.M. on Wednesday, August 19, 1981.

* It was not received.

OLD BUSINESS (continued)

(2) Re: Town of Southborough Heating Oil bids opened at 8:30 p.m. on July 28, 1981, the Board UNANIMOUSLY VOTED to reject all bids at this time and to put it out to bid again. The Board would like to have more than two bidders to see if a better price could be received.

(3) Microfilm Jacket Loader and Microfiche Dry Reader/Printer
UNANIMOUS VOTE: to award contract to Spaulding Graphic Microfilm Co. of Stoughton, MA as per its bid dated 7/24/81 as follows: Jacket Loader, \$1,995.00 and the Reader/Printer \$1,720.00. It was explained that this bid was not the lowest bid but the only company that met the specifications.

(4) Insurance for motorcycles used by volunteer policemen-
Selectmen questioned the status of whether or not the volunteers are covered. Administrative Assistant Jeffrey Grossman explained that one insurance policy covers the automobile liability and another insurance company covers false arrest and accident and health policy. Selectman McAuliffe stated that it appears the volunteers are covered as are those responding to ambulance calls, barn patrols, etc., that any vehicle that is used by an individual which is in some way connected with official business of the Town of Southborough is covered by Town insurance. However, Selectmen would like verification that the individuals who are volunteering have their equipment properly insured and that they have sufficient insurance coverage as much as the Town of Southborough. Verification should be in writing to make sure that those vehicles are registered properly. Administrative Assistant should look into the possibility of increasing the \$300,000 liability at what cost to the Town. Perhaps the Town should amend the coverage to a million dollars or at least increase it more than \$300,000. Patrols have been suspended until this matter has been resolved. Selectmen would like this insurance cost matter checked with Town Counsel.

NEW BUSINESS:

SCHEDULED MEETINGS:

8:14 pm Re: Application for Class I License (automobile dealership) for
to 78 Turnpike Road, Fayville

8:26 pm Present: applicant Robert P. Farrell, 8 Shaw Road, Wellesley d/b/a Farrell Motors, Inc., and his attorney Paul D. DeCenzo. Attorney DeCenzo gave a brief presentation explaining that this is the first step which must be approved in order for Mr. Farrell to obtain the Volvo franchise. Mr. Farrell will be the President and Treasurer of the corporation and Mr. DeCenzo will be the Secretary. Mr. Farrell has an agreement with the present owner of Country Volvo, Hugh Dalzell, to acquire his business at 78 Turnpike Road. Application for a corporation has been made to the State and has been approved verbally. UNANIMOUSLY VOTED: that the request for a Class I Agent's or Seller's License as submitted by Farrell Motors, Inc., Robert P. Farrell, President, be GRANTED.

8:30 pm Re: Petition for conduit location by New England Telephone Company
to Present: Wesley Wallace, O P Supervisor-Right of Way representing

8:32 pm New England Telephone. Mr. Wallace gave a brief presentation stating

Petition for conduit location by New England Telephone Company (Continued)

that many years ago the telephone company promised to bury all the telephone lines in front of the St. Mark's School's Masters House on Marlborough Road from School Street up and this will complete their promise. UNANIMOUS VOTE: to grant petition requested by New England Telephone to lay and maintain underground conduits, etc. under MARLBOROUGH ROAD from existing MH 78, which is opposite the southeasterly corner of School Street and Marlborough Road, place approximately 6 feet off the traveled way on the westerly side to existing P50 approximately 40 feet of conduit. No abutters objected.

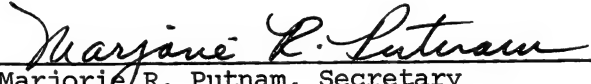
CORRESPONDENCE:

From Police Department. July 30, 1981 letter from Sgt. William J. Colleary, Officer-in-Charge, recommending the department's use of Cruiser 101 (1979 Dodge Aspen) instead of using it as a trade-in when purchasing new cruisers. Cruiser 102 (1980 Plymouth) is having serious mechanical problems with its transmission and front end. Board unanimously VOTED to accept the recommendations in this letter.

From Police Department. August 11 letter from Sgt. William Colleary, Officer-in-Charge, recommending that officers William Webber and Joseph F. Deignan III attend the Massachusetts State Academy which will be starting September 8, 1981. Board unanimously VOTED to approve the recommendations in this letter.

From State Department of Revenue. August 3 letter certifying that the amount of available funds or "free cash" as of July 1, 1981 for the Town of Southborough is \$610,070.

8:38 pm VOTED: to adjourn the meeting.


Marjorie R. Putnam, Secretary

mrp/mfm

MINUTES OF SPECIAL MEETING
BOARD OF SELECTMEN

Tuesday, August 18, 1981

4:30 p.m. Meeting convened in Conference Room A. Present were Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman and Secretary to the Board Marjorie R. Putnam. No one else was present.

Chairman Bartolini asked that Town Counsel Busconi substantiate the Board's position regarding the use of legal counsel by the School Committee which must be approved by the Board of Selectmen. Town Counsel should put this in writing before the meeting scheduled for Tuesday, August 25.

Chairman Bartolini asked Administrative Assistant Grossman to telephone Michael Donoghue, Treasurer/Chairman of the Worcester County Retirement System, to ask him the proper method to enter his name as a candidate for the Chairmanship of the Worcester County Advisory Board. A telephone call is to be made to a Mr. Siegel stating that Louis J. Bartolini is interested in the Chairmanship. Selectman Cipriano and Selectman McAuliffe said they would co-sign a letter endorsing Louis J. Bartolini as candidate for the chairmanship.

Chairman Bartolini asked Administrative Assistant Grossman to aid Calvin Mauro of the Highway Department regarding his Worcester Retirement reinstatement matter. Mr. Grossman is to talk to Mr. Donoghue, Treasurer/Chairman of the Worcester County Retirement System; and obtain background information from the Treasurer/Collectors office to try to resolve this problem of Mr. Mauro's reinstatement into the System. Perhaps Administrative Assistant Grossman and Mr. Mauro could talk in person with Mr. Donoghue in Worcester.

Board directed Administrative Assistant Grossman to send a letter to Joseph Green (2 John Matthews Road) regarding his complaint about the very deep hole perc testing on A. J. Lane's new office building site at 225 Turnpike Road. The Board reviewed Mr. Green's concerns and find that the Board has no justification to prevent Mr. Lane from doing this type of work on his own property. The Building Inspector has reviewed the perc testing and has found no apparent violation. Regarding the dust complaint, the suggested use of salt would create problems with the leaching runoff into the reservoir. In two or three weeks, this problem should demise. Mr. Green should contact the Board if he has further concerns.

Discussion ensued regarding the selection of the final candidates for the position of Police Chief. Selectman Cipriano wanted to first discuss if all applicants were in compliance. Administrative

Assistant Grossman explained that due to the ambiguity in the wording of the classified ad, that only resumes were being sent to the Selectmen's office. Applications have been mailed to all who sent resumes except the resumes received today. Selectman Cipriano wanted to wait until these applications were received. Chairman Bartolini and Selectman McAuliffe maintained that the resumes received had enough information to base an opinion as to whether or not they would qualify.

The following names were finally agreed by all to be interviewed and tested:

<u>No.</u>	<u>Name and Address</u>
1.	William D. Baker, 242 Wood St., Box 31, Woodville, Ma 01784
4.	David J. Cella, 29 Highland St., Southboro, MA 01772
6.	Richard G. Natoli, 10 Berry St., Framingham, MA 01701
11.	James F. Finneran, 538 Potter Rd., Framingham, MA 01701
13.	William J. Colleary, Jr., 91 Southville Rd., Southboro, MA 01772
14.	Ronald Nix, 14 Summer St., Sudbury, MA 01776
19.	Michael J. Shimkus, 38 Bigelow Rd., Southboro, MA 01772

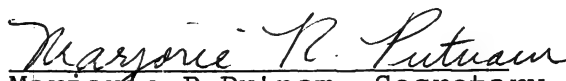
The above will be contacted for interviewing on Monday August 24, 1981 starting at 6 p.m. at the Town House.

Selectman McAuliffe stated that he did not believe that William Baker had enough administrative or managerial experience to qualify. The entire Board did not believe that Linda Jackson qualified due to her lack of administrative or managerial experience. Selectman McAuliffe stated that George Schwichtenberg, in his opinion, should be interviewed as he had relevant experience. The rest of the Board did not agree.

The question came up as to whether or not the names of these 7 candidates should be released. It was brought out that the interview sessions are open to the public but that they should be asked.

Chairman Bartolini asked that the telephone call to Michael Shimkus be not made until he asks him about his proposed retirement date from the State Police Force. He will be asked if he were able to start on October 6 if the job of Police Chief were offered to him. If he cannot start on that date, then his name will be eliminated from the list of applicants. (Mr. Shimkus wrote in his application that he is due for retirement in 1982 from the State Police Force.)

5:50 p.m. Meeting was adjourned.


Marjorie R. Putnam, Secretary

MINUTES OF SPECIAL
MEETING OF
BOARD OF SELECTMEN

Monday, August 24, 1981

6:30 p.m. Special Meeting was convened in Conference Room A.
Present were: Chairman Louis J. Bartolini, Selectman
Thomas W. McAuliffe, Selectman Aldo A. Cipriano, and
Administrative Assistant Jeffrey A. Grossman.

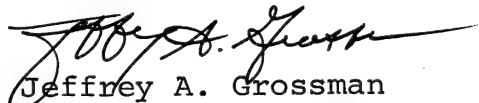
The following were interviewed for the position of Police Chief:

6:30 p.m. Richard G. Natoli
7:00 p.m. Ronald Nix
7:30 p.m. William J. Colleary, Jr.
8:00 p.m. David J. Cella
8:30 p.m. William D. Baker
9:00 p.m. James F. Finneran

The date for the written examinations was set for Saturday,
August 29, 1981. All above candidates are to meet at 8:45 a.m.
in the second floor Hearing Room of the Town House. Exams scheduled
to begin at 9 a.m.

Selectmen signed two road opening permits to allow COMMONWEALTH GAS
COMPANY to open (1) Parkerville Rd., from Turnpike Rd. to a
distance of 1,200 feet, to install a new gas main, time limit:
Fall to no later than 11/1/81; and (2) Upland Road and Winchester
Street, from Winchester St. running easterly up the south side
of Upland Road across to #4 Upland Road to install a main extension
from Comm. Gas' 2" pipe on Winchester St. in order to run a new
gas service into #4 Upland Road, time limit: 8/18/81 to 9/18/81.

9:28 p.m. Meeting adjourned.


Jeffrey A. Grossman
Administrative Assistant

mrp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, August 25, 1981

Hearing Room

7:30 pm. Meeting was convened by Chairman Louis J. Bartolini.
Also present were Selectman Thomas W. McAuliffe,
Selectman Aldo A. Cipriano, Administrative Assistant
Jeffrey Grossman, Secretary Marjorie Putnam, Town Counsel
Frederick A. Busconi, Building Inspector Edgar A. Phaneuf, Jr.,
members of the press and interested citizens.

<u>Treasury Warrants Signed:</u>	\$ 15,000.00	#4	Revenue Sharing
	\$ 35,068.27	#32	
	\$ 6,335.10	#33	
	\$ 27,182.50	#34	

Permits Granted:

1. Zoning Permits granted to Dennis Paul, President of Pagin Corporation of Framingham to build single family dwellings on the following lots:
38 Edgewood Road (Assessors Map 16-Lot 7B) Builders Lot 8
48 Edgewood Road (Assessors Map 10-Lot 5) " " 3A
50 Edgewood Road (Assessors Map 10-Lot 6) " " 2A
2. To: Southborough Cultural Art Council, Square Dance Committee c/o Henry Welch, Chairman, in conjunction with the October Arts Festival, to use the parking lot at the rear of the Town House on Saturday, October 3, 1981 from 7 p.m. to 10 a.m. (UNANIMOUS VOTE)
3. By a UNANIMOUS VOTE, two Temporary office trailer permits were renewed for 30 days to be issued to:
(a) Carlin Machine Co., 12 Southville Rd.
(b) Michael Gulbankian, 40 Mt. Vickery Rd.

Permit Denied:

Permission denied to Datatrol of Hudson to consume beer on the "Woodward School Field" known as Choate Field during its softball game on September 9, 1981. Discussion: This was a request asking permission of the Selectmen "to bring (and drink) beer during" the game. Selectmen gave permission a few weeks ago for a town-based softball game to sell beer at its tournament games. There is a public drinking by-law and individuals have to seek the Board's permission before doing so.

Permission denied continued:

Selectmen do not want to start a precedent of groups from out of town drinking on Southborough's public fields. If it is a Southborough organization, then the Board will consider only these requests. (UNANIMOUS VOTE)

Licenses - Approved/Disapproved:

Selectmen Unanimously DENIED Automatic Amusement Device License requested by Jeffrey Anderson d/b/a/ Southville Market, 90 Southville Road. Discussion: (See first appointment for details.)

Resignation Received :

August 14 letter addressed to Town Clerk Paul J. Berry from Willard S. Putnam in which he resigned as Clerk/Dispatcher and Reserve Police Officer of the Southborough Police Department effective August 15, 1981.

Appointments Made:

Hold on request stated in Conservation Commission's letter of August 14 to fill one vacancy on the Commission. Two names were listed in August 14 letter. Board of Selectmen will act on this request at its next regular meeting on September 8.

Hold on appointing Parking Clerk for the Town of Southboro until Town Counsel reviews the provisions of Section 115 through 121 and 118 of the General Appropriations Act for FY '82 and that Town Counsel recommend a course of action to assure compliance with this legislation.

Hold on appointing Ronald Gray, former Patrolman and Constable for the Town, as Reserve Police Officer. Selectman McAuliffe felt it would be beneficial to have Ronald Gray appointed as soon as possible due to the fact that two officers will be going to a 12-week training session at the State Police Academy soon. Chairman Bartolini would like to review the current list of Reserve Officers before adding another officer to this list. Selectmen unanimously VOTED to table this matter temporarily and to act on it as soon as possible even if a Special Selectmen's meeting had to be scheduled.

Old Business:

1. Site Plan Approved - 228 Turnpike Road (Forster) See last appointment for details.

2. Contract awarded to Falconi Brothers, Inc. Southborough, for supplying heating oil for the Town of Southborough, as per bid in the amount of \$1.064 per gal. delivered; \$.03 escalation price; and service \$22.50 (day repairs) and \$28.50 (nighttime price)
UNANIMOUS VOTE

New Business/Scheduled Meetings:

- 7:33 p.m. Meeting with Jeffrey Anderson d/b/a/Southville
to Market regarding his application for an Automatic
7:56 p.m. Amusement Device License - "Space Invaders" for
his Package Store located at 90 Southville Road.

Mr. Anderson was present as well as the owner of the machine Mr. Robinelli of Ideal Amusement Company. Mr. Anderson stated that his customers have requested this machine and also he believes it would help his business. Selectman Cipriano stated that his position remains the same, that these machines are not for the general benefit of the community. Young people are primarily using these machines. Fitzgerald's store a quarter of a mile away has three machines. Mr. and Mrs. Stuart Fletcher (59 Southville Road) complained of the continuing problems with this business (patrons urinating in the parking lot, strong language from patrons, etc.) Mr. Fletcher said he always reported his complaints to the Police Department together with license numbers of patrons involved in complaint. Mr. Fletcher never spoke directly with the owners. Mr. Anderson said he has tried to resolve the continuing problems by fencing around the vacant lot, putting in a window so he could see the parking lot from his store. The abutters to the store feel if a machine is placed in this store that it will tend to keep people in the store and not be a cash and carry business as intended. Mr. Anderson stated that the Police did not notify him of these continuing problems. Selectman McAuliffe made a Motion that this license be Denied. Selectman Cipriano seconded the motion and it was VOTED by a unanimous voice vote.

- 7:56 p.m. Pole Hearing on petition by New England Telephone and
to Massachusetts Electric Company for one (1) pole on
7:58 p.m. Southville Road at a point which is approximately
156 feet westerly of Cordaville Road. Present for
the Telephone Company was Wesley Wallace, O P Supv-Right of Way,
who stated that this pole was requested by the only abutter
Carron Realty Trust to increase the capacity in the area and
upgrade the service. UNANIMOUSLY VOTED to grant this petition.

- 8:34 p.m. Meeting with the Southborough School Committee regarding
to letter dated August 11, 1981 from John Martin, Chairman,
9:45 p.m. asking for the consent of the Board of Selectmen to the
employment by the School Committee of Allan W. Drachman
as legal counsel for collective bargaining and general purposes.

Present for the School Committee were: Chairman John Martin, Vice-Chairman Joseph Gill, Judith Badavas, Norman Clement and William Linnell. Superintendent of Schools Dennis DiSalvo was also present. Chairman Martin stated the School Committee's position that it believes that under Chapter 71, Section 37 E & F, the Committee can hire legal counsel without the Selectmen's consent. Chairman Bartolini read, in its entirety, Town Counsel Busconi's written opinion of August 25 re Chapter 71, Section 37E & F and Town of Southborough's By-Law, Article 4, Section 7.

Meeting with School Committee Continued:

Mr. Busconi stated in his letter that it is his opinion that Article 4, Section 7 restricts but does not contradict General Laws Chapter 71, Sections 37 E & F. Mr. Clement said the Committee was not interested in challenging the Town's By-law, that it just wants to employ Allan Drachman as legal counsel. The School Committee feels that it is in everyone's best interest to employ one legal counsel for the three districts. Chairman Martin asked if the School Committee had to use Town Counsel. Chairman Bartolini said the School Committee in the past always used the Town Counsel. In answer to a question as to what was the cost figure to use outside counsel, School Committeeman replied that Southborough's share was \$4,000. Total cost for the three districts was \$11,600 and Southborough's share of this was just under \$4,000. Selectmen stated that they believe the Town Counsel is more than capable of handling School Committee's legal problems and at a savings. Chairman Martin stated that the present Committee members had never used Town Counsel. The question seems to be - should the Town By-Law be followed or should the State Statute be followed? Chairman Bartolini believes it would be cheaper to follow the Town By-Law. Chairman Bartolini reminded the Committee that the reason it used outside Counsel for 4 years was due to the fact that this fact was not picked up until recently. The payment of legal counsel bills should have been questioned by the Town Accountant as to whether or not they had been authorized by the Board of Selectmen. School Committee argued that it would be cheaper for the Committee to use one legal counsel for the three districts, that it would be one-third the total cost. The Committee feels that State Law says the Committee can hire outside counsel if it so chooses. Judge William Brewin, former Town Counsel, stated that there is no doubt that the Southborough Town By-Law pre-empts the State Statute regarding the issue of who they can employ as legal counsel. Town Counsel Busconi says it has always been the intent of the State's constitution to support Home Rule. Chairman Bartolini suggested that the school Committee go along with the system at this time and if there is anything wrong with using the Town Counsel, such as whether or not he is available or too busy, the Selectmen can be contacted. Selectmen Cipriano said he needed more time to review the Town Counsel's opinion to determine the appropriate course of action. Chairman Bartolini stated that when a Town Counsel renders an opinion, that opinion prevails. Advisory Committee Chairman Cyd Ostrovsky questioned the availability of the Town Counsel as to whether or not he would have to give so much of his time to the School Committee that other Town Boards would find him inaccessible. Town Counsel Busconi ^{said} this would not create a problem, that he would be readily accessible to town boards. Frederick A. Busconi stated that no Collective bargaining was done last year. Town Counsel also said that in looking over the bills paid to Drachman that Southborough was not involved in many cases. Chairman Bartolini said it was not difficult to obtain permission to use Town Counsel, it is just a matter of telephoning the Selectmen's office. Permission is granted at that time. It is just a matter of informing the Selectmen's office regarding the use of the Town Counsel's time. Selectman McAuliffe made a MOTION that the request of the School Committee to engage the legal counsel of Allan W. Drachman, P.C., Attorneys-at-law, be DENIED. Selectman Cipriano seconded the Motion. Before voting on this Motion, Chairman Bartolini asked for a caucus with Chairman Martin. Caucus lasted from 9:30 p.m. to 9:38 p.m. At 9:44 p.m. the Board of Selectmen took a roll call Vote as follows: Selectman McAuliffe: Aye; Selectman Cipriano: No; Chairman Bartolini: Aye. MOTION CARRIED Selectman Cipriano wanted the record to show that he voted "NO" as he wanted the opportunity to further review the pertinent data.

9:46 p.m. Reconvened Site Plan Hearing (from June 30, 1981) of
to Judith Forster held on her request to sell antiques
9:55 p.m. and house and garden plants on property located at
228 Turnpike Road, Southborough, MA. Mrs Forster was
present. Selectmen noted August 21, 1981 letter from
Connorstone, Inc. of Ashland, Engineers, regarding the cesspool
on this property. The Board of Health has no records of any
complaints and therefore it is assumed that light usage should
not cause any problem. Should any problem arise, an immediate
reconstruction of the septic system would result. Conservation
Commission informed Building Inspector Edgar Phaneuf, Jr. that
the revised site plan is all right with them if the Forsters do
not plan to add onto the present structure. The Planning Board
reported, via David Scattergood, that as far as the Planning
Board is concerned, they questioned the parking space allotment.
Edgar Phaneuf was present and stated that Mr. Scattergood did not
use the correct figures in computing, that the Forsters had ample
parking spaces available. Mr. Phaneuf said he had checked this
property and all violations stated at the Site Plan Hearing of
June 30, 1981 have been corrected. As there were no objections
from abutters, Selectman McAuliffe made a MOTION that the revised
site plan as presented to the Board on August 25, 1981 be APPROVED.
Selectman Cipriano seconded this Motion and it was unanimously
VOTED (by voice vote).

CORRESPONDENCE:

The Selectmen signed letter to State Senator Daniel Foley and
State Representative Joseph Navin that the Board of Selectmen
wants to go on record, with the Board of Assessors, as being in
favor of House Bill 7047 which will assure all communities which
select a residential factor of one that the tax rate will be
annually consistent and equal for all classes of real
property.

From Gene and Mary O'Brien, 153 Main Street, letter dated August
24, 1981 asking for a street light ^{on an} easement within the boundaries
of property on the corner of Johnson Road and Route 30. The
Selectmen VOTED to deny this request as the 1975 ATM imposed a
moratorium that prohibits the installation of additional street
lights and also a street light cannot be installed on a private
road.

From District Attorney's office in Worcester regarding Casino
Gambling asking the Towns who license Las Vegas Nights or Casino
Nights to limit the number of gambling nights to discourage the
involvement of professional gamblers and organized crime.

From Bureau of Solid Waste Disposal, a letter dated August 19, 1981,
re two hazardous waste facility proposals re siting.

August 17, 1981 letter from Metropolitan District Commission, Boston
re a public meeting on 9/10/81 re a sewage treatment site options
study.

August 25, 1981 letter from Robert and Florence Gregory, 47 Central Street, complaining of the constant influx of heavy trucks rolling through Central Street seven days a week.

Selectmen VOTED to turn this matter over to the Town Counsel and ask him to review the avenues available to resolve this problem. Administrative Assistant Grossman informed the Board that he met with representatives of Hendries Frozen Foods, Inc., Pilot Freight Carriers and Riss International requesting them to instruct their truck drivers to travel State Route 9 rather than Central Stret. All company representatives agreed to this request. However, other trucks are using Central Street as noted in Mr. and Mrs. Gregory's letter. Board will await Town Counsel's investigation on this matter.

10:12 p.m. VOTED: to adjourn the meeting.

Marjorie R. Putnam
Marjorie R. Putnam, Secretary

mrp/mfm

MINUTES OF SPECIAL MEETING
OF BOARD OF SELECTMEN
Thursday, September 3, 1981

4:50 p.m. Meeting convened in Conference Room A. Present were:
Chairman Louis J. Bartolini, Selectman Aldo A. Cipriano,
Highway Superintendent John W. Boland and Secretary
Marjorie R. Putnam.

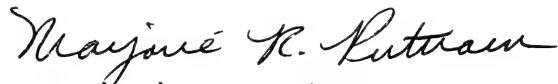
Chairman Bartolini read September 2, 1981 letter from Highway
Superintendent John W. Boland recommending bids to be awarded
for various road materials. The bids were opened by the Highway
Superintendent on September 1 at 10 a.m.

Selectman Cipriano made a Motion to award contracts to the following
low bidders as recommended by Highway Superintendent Boland:

To Pyne Sand & Stone Co.....Various Aggregates
To All States Asphalt, Inc.....Cold Mix Asphalt Emulsion
Pavement, Cutback Asphalt, &
Asphalt Emulsion
To Trimount Bituminous Products Co...Bituminous Concrete Top,
Bituminous Concrete Binder, and
Bituminous Cold Patch
To E. C. Murray Construction Co., Inc..Placing Cold Mix Pavement

Chairman Bartolini seconded the Motion and it was VOTED by a
unanimous voice vote of the Board of Selectmen present.

5:00 p.m. Unanimous VOTE by the Board to adjourn Special Meeting.


Marjorie R. Putnam
Secretary

mrp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, September 8, 1981

Hearing Room

7:37 p.m. Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam and members of the press: Lois Coit (Worcester Telegram & Gazette), Mr. Reimels (Middlesex News) and Jean Bigelow (Southborough Villager).

Treasury Warrants signed by the Board on September 1:

\$ 2,500.00	Revenue Sharing #5	\$37,529.18 #36	\$400,000.00 #38
\$19, 547.46	#35	\$ 9,995.17 #37	

Treasury Warrants signed by the Board on September 8:

\$ 94,511.21	#39	\$ 72,488.01 #42	\$ 741.80 #44
\$ 770,000.00	#40	\$ 750.58 #43	
\$ 6,202.15	#41		

Permits Granted:

Road Opening Permit granted to Commonwealth Gas. Co. to open Framingham Road at #118 from 9/8/81 to 10/1/81 to install a new gas service.

Temporary Office Trailer Permit renewed for another 30 days- issued to Joseph Cacciatore /d/b/a Water Street Corp. for Lots 1 and 4, Edgewood Road.

Miscellaneous Permit: Board unanimously VOTED to grant to the Southborough Historical Society c/o Lois McCarthy, Corresponding Secretary, requests listed in September 4 letter regarding Homecoming Day September 19, 1981 from 10 a.m. - 3 p.m. for Peters High School former students. The Society is asking for Town Buildings to be open for the public re a tour planned for former students.

Appointments:

Board unanimously VOTED to appoint Robert E. Hoss, 184 Middle Road Southborough, to a three-year term as a member of the Conservation Commission, his term to expire May 1984.

Board unanimously VOTED to appoint Marion R. Carloni, 12 Cross Street, Southborough, as a Special Police Officer-Matron of the Southborough Police Department for a 1 year term, her term to expire May 1982. Mrs. Carloni's appointment is conditional upon the following:

Appointments continued

Re: Marion Carloni

- (1) Written indication of a successful passage of a physical examination and
- (2) Completion of a rape counselling course.

Jurors Drawn:

For Traverse Jury: (1) Bryan C. Butler, 5 Cottage Street and (2) David C. Gordon, 156 Marlborough Road.

Old Business:

1. Exxon Company, U.S.A., 344 Turnpike Rd. September 2 letter from Exxon's Attorneys Nutter McClennen & Fish (David C. Johnson, Esq.) enclosing a plan entitled "Facelift Program. Plot Plan..." dated March 23, 1980. Exxon wants to extend the length of the pump island near Rt. 9 to add diesel fuel tank. Exxon questions whether or not another site plan approval is required for this addition. Selectmen believe that they should seek another site plan approval and that they must ask for an amendment of the Zoning Board of Appeals Special Permit filed with the Town Clerk on 12/18/80. Ask Town Counsel Frederick Busconi to review the matter regarding ZBA and report to the Board of Selectmen and the Board of Appeals.
2. 30 Turnpike Road, Dennis Marguerite & Emilio Mezzone
Site Plan - Site plan needs to be revised again. To be reconvened at a later date. (See 8:30 p.m. appointment for details.)

New Business/Scheduled Meetings:

7:50 p.m. Pole Hearing petitioned by New England Telephone & to Massachusetts Electric Company for one (1) pole on
7:53 p.m. Cordaville Road (at a point which is approximately 410 feet northerly of River Street). Present for New England Telephone was Carl Whitney of the Engineering Department. No abutters objected to the petition. Therefore the Board unanimously VOTED to approve and sign said petition.

At this time the Selectmen unanimously VOTED to approve New England Telephone Company's request to purchase half interest in Mass. Electric Company's poles as follows: 2 poles on Marlborough Road beginning at the intersection of Marlborough Road and School Street and continuing southerly.

8:00 p.m. Transfer Station Recycling Committee submitted their to Report dated September 8 which included a copy of
8:26 p.m. a proposed instruction booklet and a logo and sign design which will be placed on the Transfer Station wall if approved. Present for the Committee were members Harold Kiess (who gave the report), Inge Tufts and Richard Upjohn.

Their Chairman, Donna McDaniel, could not be present. The Board unanimously VOTED to accept the Report as read and to accept the logo to be placed on the Transfer Station wall. The Board offered to help in any way it can. The Committee asked the Board to find out what is holding up the recording of the deed of land from Commonwealth Gas Company to the Town so that the Highway Superintendent John Boland can establish the area to store heavy metals. (Commonwealth Gas deeded land to the Town via Article 37 ATM 1980.) Board so instructed Administrative Assistant to find out the status on this deed recording .

8:41 p.m. Reconvened Site Plan Hearing (from May 5, 1981) on request by
to Dennis Marguerite and Emilio Mezzone to turn a single family
9:03 p.m. dwelling at 30 Turnpike Road into an office building. Present
were Messrs. Marguerite and Mezzone, their attorney, Neil J.
Roche from Franklin, Mass., Building Inspector Edgar A. Phaneuf,
Water Superintendent William Binder, David Scattergood of the Planning
Board. State DPW Permit #J-18430 was presented to the Board of Selectmen
(re driveway opening onto Rt.9). Attorney Roche stated that regarding the
first concern in Selectmen's May 7, 1981 letter, the use of the principal
building and warehouse is as follows: the house in the front of the lot is
to be remodelled as an office. The warehouse to be built in the rear is
to be used for the storage of aluminum/vinyl siding for houses. The State
Permit presented tonight should take care of the rest of the Board's
concerns, according to Attorney Roche. Chairman Bartolini pointed out
that the Revised Site Plan does not incorporate the conditions listed in
the State Permit such as pitch of the drainage - it goes the wrong way
in the Plan. The Zoning Board of Appeals has to sign off-a Special Permit
is needed for the warehouse. The Site Plan still is not complete.
UNANIMOUS VOTE: to continue the Site Plan Hearing until such time as the
applicants file with the Selectmen's office a revised site plan with the
following corrections: (1) Revised site plan must include conditions
listed in the State Permit No. J-18430; (2) Revised site plan must be
checked by the Water Superintendent William Binder; (3) Revised site
plan must be checked by the Building Inspector Edgar Phaneuf; (4) Revised
site plan must be checked by Highway Superintendent John Boland re paving
and catch basins; (5) Revised plan should show where the parking spaces
will be; and (6) Revised site plan should show where the proposed signs
will be. Applicants agreed to come back with another revised site plan
and schedule an appointment at that time.

Site Plan Hearing, Scheduling of:

Selectman McAuliffe at this time stated that due to the fact that this
plan of Messrs. Marguerite and Mezzone was just received this afternoon
and the Site Plan boards did not have sufficient time to study same, he
would like to make a Motion, as follows: That before a date is set for
a Site Plan Hearing and before the Applicant comes before the Board of
Selectmen, the the Site Plan must be submitted to the Selectmen's office
first. Then an appointment for a Site Plan Hearing will be scheduled.
The Site Plan Boards need at least a week or more to study the plan. Motion
was seconded by Selectman Cipriano and it was UNANIMOUSLY VOTED by voice
vote of the Board.

Correspondence:

Police Department. Letter to go to Sgt. Richard R. Waller commending him for his 9/1/81 demonstration of the use of canines in Police work during the recent Festival 1981 held in Marlborough.

Speed Limit Sign/Stop Sign

Board noted letter from Carol Miner and 11 others requesting a stop sign at the corner of Edgewood and Oregon Roads and a sign limiting vehicular traffic on Oregon Road not to exceed 20 miles per hour. Letters are to go to Sgt.-in-Charge William J. Colleary, Police Department and Highway Superintendent John Boland requesting them to review this letter and to assess these requests. Selectmen would like the Police Department to monitor the speed of vehicles traveling Oregon Road via radar. Selectmen would like a report by September 15. Letter is to go to Henry Holmes, DPW District Highway Engineer, Worcester requesting permission to install these two signs.

Central Street Traffic

Board noted opinion from Town Counsel Busconi stating that by virtue of Chapter 85 Section 2, the Board can petition the DPW for permission to limit truck traffic to 2½ tons on Central Street. Letters are to be sent to Robert Shea, Worcester DPW Traffic Division and Henry Holmes, DPW District Highway Engineer, Worcester requesting that the use and operation of heavy commercial vehicles having a carrying capacity of more than 2½ tons be restricted on CENTRAL STREET. Letter is also to go to Commissioners of the Framingham Board of Public Works notifying them of the Boards request to restrict the use and operation of heavy commercial vehicles on Central Street and suggesting an alternate route away from Central Street to State Rt. 9 via Firmin Avenue.

Proposition 2½ House Bill 7095 (better distribution of local aid): Board noted August 31 letter from Town of Arlington asking for support of this Bill. Selectmen want to support this Bill.

State Department of Revenue Bulletin "Offset Receipts" (received 9/4/81)

Chapter 339 of the Acts of 1981. Administrative Assistant Grossman explained that this is a method to offset the various department's operating costs by utilizing receipts. Jeffrey Grossman would rather keep the receipts the way they are at present. Selectmen agreed.

South Middlesex Area Chamber of Commerce (SMACC) has begun an Economic Development Program and has asked, in its letter of 9/2/81 for a representative from the Town to be appointed to this committee. Southborough Industrial Development Commission is to be contacted as the Selectmen feel that the IDC would be most appropriate to participate in this program. The IDC should contact SMACC directly.

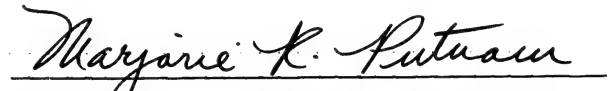
DPW Worcester. Board noted a public hearing for Worcester County on Friday, 9/25/81 at 10:30 a.m. for the open discussion of questions relating to the public roads. Selectmen would like Highway Superintendent John Boland and Administrative Assistant Grossman to attend this hearing.

House Bill 7047 (clarifying the procedure for adoption of a residential factor) "An Act Relative to Classification of Real Estate Property for Tax Purposes".

Letter is to go to Representative Joseph Navin thanking him for sending a copy of this Bill as well as a computer print out sheet (Last Screen of Document).

Sudbury Reservoir Water Treatment Plant in Southborough (proposed). Board noted notice of MDC and Sudbury Citizens Advisory Committee holding a public meeting at 8 pm September 23, 1981 re an environmental impact study for the proposed Plant. All the Selectmen want to go to this public meeting.

9:15 p.m. VOTED: to adjourn the meeting.


Marjorie R. Putnam, Secretary

mrp/mfm

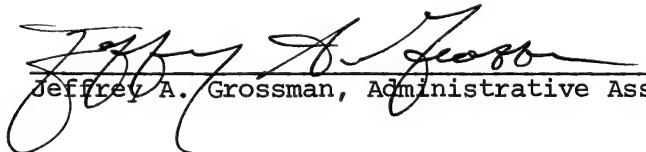
MINUTES OF SPECIAL MEETING
BOARD OF SELECTMEN

Friday, September 11, 1981

5:45 p. m. Meeting convened in Conference Room A. Present were:
Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe,
Selectman Aldo A. Cipriano, Administrative Assistant
Jeffrey A. Grossman.

Chairman Bartolini asked the other two Selectmen if they had selected candidates for the finalists regarding the position of Police Chief. Selectman Cipriano stated that he wishes to adhere to McCann Associates recommended passing score of 68. Selectman McAuliffe stated that he thought it was a no-fail test. Selectman Cipriano made a MOTION that the recommendation of McCann Associates regarding the passing grade be adhered to and a passing score of 68 be established. Selectman McAuliffe did not second the Motion. Chairman Bartolini seconded the Motion. It was APPROVED by a voice vote: Chairman Bartolini and Selectman Cipriano in favor, Selectman McAuliffe opposed. Selectman Cipriano stated he can justify the selection of William J. Collearary, Jr. as a finalist and not Mr. Natoli due to the fact that Mr. Colleary has 18 years of experience in the department and that he is presently the Officer-in-Charge. Selectman Cipriano made a Motion that the Selectmen choose Messrs. Nix, Colleary, Baker and Cella as final candidates for the position of Police Chief and that those candidates advance to the psychological examination. Motion was seconded by Selectman McAuliffe and was unanimously APPROVED. Selectmen further instructed Town Counsel Busconi to render an opinion as to whether or not the test scores of McCann Associates written examination are public documents.

6:06 p. m. Meeting adjourned.


Jeffrey A. Grossman, Administrative Assistant

jag/mfm

MINUTES OF MEETING

BOARD OF SELECTMEN

Tuesday, September 15, 1981

Hearing Room

7:30 p.m. Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, members of the press, interested citizens.

Treasury Warrants signed by the Board:

\$ 20,987.90 #45
\$ 27,672.51 #46
\$225,662.60 #47

PERMITS GRANTED:

Board granted permission to the Southborough Cultural Arts Council c/o Lois Coit to place signs publicizing the festival at intersections of Rts. 85 and 30 and at Boston and Framingham Road intersection. They also would like to post signs on the day of the festival giving directions to the South Union School.

APPOINTMENTS

Jeffrey J. Beane, 90 Framingham Road, was appointed by the Moderator to a 3 year term (expiring May 1984) on the Capital Budget Planning Committee.

OLD BUSINESS:

Selectman Cipriano asked as to the status of the stop sign which was requested to be placed at the end of Richards Road and Woodland Road intersection. Administrative Assistant Grossman said that he will consult Highway Supt. John Boland on this matter.

Fayville Field Basketball Hoops Another complaint was received from Greg Supernovich (Pleasant St.) regarding the continued vandalism of the basketball backboard. He suggested that perhaps the Town could replace this with a metal backboard similar to those on the other playing fields. The plywood backboards have to be replaced too many times. Recreation Commission will be contacted regarding this replacement with either steel or fiberglass instead of wood. Thomas W. McAuliffe requested information on the number of times the backboards have been replaced and subsequently vandalized.

SEE * (POLICE CHIEF POSITION) page 4 of these Minutes.

NEW BUSINESS/SCHEDULED MEETINGS:

7:30 p.m. Bid Opening regarding the sale of the old fire station at 5 Main St.
to
7: 43 p.m.

Present: Paul e Brefka, Chairman of the ad hoc Committee (and MAPC) to Examine Present and Future Uses For the Former Fire Station and Assess Impact on Its Use on Southborough Center. Two bids were received from: (1) Fafard Industries, and (2) Angelo Baltas of Southborough. The two bids were handed to Mr. Brefka who stated he and his committee will check these documents to see how close they conform to the Developer's Kit and will report back to the Selectmen a month from this date.

8:00 p.m. Site Plan Hearing on application by Red Roof Inns. Inc. dba Red to Roof Inn Motel of Amlin, Ohio, requesting to construct a two-
8:33 p.m. building motel project at 367 Turnpike Road (near I-495 north). Present for Red Roof Inns were: James C. Hackworth, Area Manager, and Engineer Mr. Joseph R. Sullivan of MacCarthy & Sullivan Engineering, Inc., Natick, MA. Also present were Russell Millholland (Chairman of IDC), Glenn Tessmer (IDC member), Lorraine Keller (IDC member), David Scattergood (Planning Board), Edgar Phaneuf (Building Inspector), Edward F. Brock (Fire Chief), John Boland (Highway Superintendent), and interested citizens.

Mr. Sullivan gave a brief presentation stating that Red Roof Inns, Inc. propose to construct a 109 unit motel on land located east of I-495 at the rear of the Exxon gasoline station on about 5 acres of property. He talked about the elevation of the land, plans to repave the driveway, parking, etc. The road will go approximately 300 feet into the property. There is an existing water line - a 12 inch water line which was constructed by former owner Como Caterino. They plan to improve the road as if it were on sub-division land and will comply with the requirements set by the Planning Board. They want to finish the road so that if the road were to be continued on, it could easily be done.

Mr. Scattergood questioned as to the height of the buildings. Mr. Sullivan said it will be two-story, that is 35 feet total with a pitched roof. Mr. Hackworth stated that they didn't put anything about signs on the plan as they plan to deal with this matter separately with Building Inspector Phaneuf. Mr. Scattergood would like the plan to show the location of structures within 200 feet of the property lines. Mr. Sullivan said the only structure is the service station but he would show this on the plan. Mr. Hackworth stated that exterior lighting will be mounted on the building to be aimed at the parking lot at a 45 degree angle. They plan to use low pressure sodium fixtures. There will be no free-standing pedestals. All lights will be on the building. Mr. Hackworth will be applying to the State for a curb cut permit. Mr. Caterino had received a permit so they don't feel obtaining a permit will be any problem.

Russell Millholland, Chairman of the Industrial Development Commission stated that his Commission feels this is a very worthwhile project, just what Southborough has been trying to attract. This is a very desirable use for that section of Route 9 and the IDC see no reason why this project should not proceed. Administrative Assistant Grossman could run a check on Red Roof Inns, Inc. through Dunn & Bradstreet as to its financial status.

Building Inspector Phaneuf asked as to the construction of the building, whether or not they planned to put in sprinklers, and where was the 200 ft. frontage on a public way that is required in an Industrial Zone.

The reply was: the building will be constructed of masonry - cement block with concrete deck and ceiling. There will be no sprinklers as the State does not require any. There is adequate frontage on Flagg Road side of property. There will be two buildings but just one roof connecting them.

John Boland, Highway Supt. arrived a little late to this meeting and questioned re the accessroad off Rt. 9 as to its status, etc, Mr. Hackworth said the driveway would remain private and they would maintain, plow etc. this road. The road does not conform to the original subdivision rules re roads. All utilities will be placed underground. There will be no restaurant and no coffee shop--strictly rooms.

Chairman Bartolini told them that the Town had a moratorium on new street lights and that Red Roof Inns should take that into consideration in their lighting plans for the driveway into the property. Selectmen would like the Site Plan to show the elevation part of the structure itself to insure that the lighting will not disturb the residents on Flagg Road side of the property and/or Rt. 9 traffic. Plan should also show where the street lights will be placed.

Mr. Hackworth said they had not been reviewed by the Board of Health as the meeting wasn't scheduled until September 22. His last meeting scheduled with the Board of Health had to be cancelled due to a member of the Board not being able to attend. After they meet with the Board of Health on September 22 they will meet again with the Selectmen and present a revised Site Plan and Board of Health approval. Re Parking lot drainage. Their System can handle a 25-year storm. There is a 36" pipe 50 feet from the edge of Rt.9 which Caterino installed.

A resident from Blackthorn Drive asked if it were possible to request the construction equipment not to use Blackthorn Drive, but rather to enter from Rt. 9. Selectman Bartolini said the Board would make that a condition of the site plan approval.

Mr. Hackworth said that they will be building away from the Bantry/Tara Roads area and will be nearer to Flagg Road - about 300 ft. from Flagg Road.

Selectman McAuliffe made a Motion that the Board approve the Site Plan submitted by Red Roof Inns, Inc. pending the following:

- (1) Receipt of curb cut from the State of Massachusetts;
- (2) Receipt of the approval by the Southbrough Board of Health;
- (3) Receipt of revised site plan to include the concerns of the Boards such as:
 - a. Show location of structures within 200 ft. of the property lines (per requirement of Zoning By-Law.)
 - b. Show elevation of the structure itself to insure that the lighting will not disturb the residents on Flagg Rd. and/or Rt. 9 traffic.
 - c. Show where the street lights will be placed on the access road.

This motion also includes the restriction of the construction vehicles from using Blackthorn Drive and should enter from Rt.9 side of property.

Motion was seconded by Selectman Cipriano and UNANIMOUSLY VOTED by voice vote of the Board.

(End of scheduled meetings.)

* POLICE CHIEF POSITION

Selectman Cipriano made a request of the other two Selectmen. He asked that the four candidates for Police Chief be requested to have their physicals now so that the Town would know that it had four healthy candidates to choose from. He would also like to inform those candidates that they would have to pay for the physicals, not the Town. If they are sincerely interested in the job, they should be willing to pay for the physical. Chairman Bartolini and Selectman McAuliffe disagreed with the candidates paying for the physicals. They believe that it is required by the Town and the Town should pay the bill. Also brought up was what type of physical should be required. The general answer was an extensive one, one that would protect the Town regarding the Heart Law. Selectman Cipriano would like to wait for the results of the physical before the final interview. Selectman McAuliffe stated he wanted only the ^{final} candidate to have the physical as it wasn't fair for the three "losers" to go through and/or pay for a physical. Chairman Bartolini suggested waiting until after the next step is completed i.e. testing by the psychologist of the four candidates on 9/16/81 and 9/17/81 and the results given to the Selectmen on September 23, 1981. Selectmen AGREED to discuss this again at their regularly scheduled meeting on 9/22/81.

CORRESPONDENCE:

Board noted 9/10/81 Town Counsel's opinion re Exxon Co., 344 Turnpike Road, and its request to add another gasoline pump for diesel fuel. Exxon must resubmit its petition and site plans for modification to the Board of Selectmen (site plan approval) and to the Zoning Board of Appeals (to amend Special Permit).

Board noted September 15, 1981 letter from Sgt. William J. Colleary Jr., recommending that Oregon Road be posted 20 mph for its entire length, and recommending that a Stop Sign be placed on Edgewood Road at the intersection of Oregon Road.

Rt. 30 Boston Road

Board noted 9/11/81 letter from Wellesley Motor Coach Co. requesting that the speed be reduced on a section of Rt. 30 (Boston Road) and install warning signs to indicate school buses are entering and exiting at the point of 247 Boston Road (west of Wellesley Crane Co.).

ACTION : Check with Highway Superintendent John Boland to see if this section of Rt. 30 is the Town's or the State's. If the DPW is asked to verify the speed on this road, they will set the speed limit at the average figure which might turn out to be a higher speed than you want posted.

Northborough/Southborough Regional High School

Board noted 9/10/81 letter from the Treasurer of the Northborough/Southborough Regional High School stating that its 9/3/81 meeting voted to reduce the assessments to member towns. Revised 1982 assessment (revised) totals \$782,993.10. This is a reduced assessment of \$28,155.93.

General Revenue Sharing - Entitlement period 13 (10/1/81 - 9/30/82) Chairman Louis Bartolini signed the Statement of Assurances to be mailed to Washington D.C., assuring that the Town will comply with the mandatory requirements of the State and Local Fiscal Assistance Act of 1972.

8:52 p.m. VOTED: to adjourn the meeting.


Marjorie R. Putnam, Secretary

mrp/mfm

Transcription of tape from Sel. Mtg. of 9/22/81
Charles B. Swartwood, III Attorney for Mr. Dalzell.

Re: Class II License - High Turnpike Rd. from the desk of MARJORIE PUTNAM
M. Dalzell 90 Turnpike Rd. 12 Woodland Rd.

CBS: I have filed, I believe, an application for a Class II License. I will explain what the situation is. As you know Mr. Dalzell was the Manager of an operation called Country Volvo, Inc. That business has been recently sold to Farrell Motors and you will recall that you had before you a request for a similar license for Farrell Motors some time ago which I believe was approved two or three weeks ago. Mr. Dalzell has purchased the property at the corner of Woodland and Rt. 9 (Turnpike Road) from Mr. Feldman. He plans to conduct basically on a wholesale basis - that is buying from a dealer and sell to a dealer used automobiles. In order to do that he would appreciate receiving a Class II License. The other thing on this is the reason for the urgency is obviously I couldn't apply for the license (a) prior to his purchase of the property which was ^{just} accomplished about a week ago, and (b) prior to the completion of the sale, prior to the sale of assets of County Volvo, Inc. to Farrell Motors which was accomplished on Friday. Therefore, this application was filed after both of those events had occurred at the earliest possible time which was today. The problem involved, and I seek your advice and support is that Mr. Dalzell, as a result of running County Volvo has several plates registered and in order for Mr. Farrell to conduct business he is going to need some plates and before the Registry will give Mr. Farrell plates, the plates that Mr. Dalzell had have to be moved down to the corner. Otherwise Mr. Dalzell would be forced to hand in the plates and in order to allow Mr. Farrell to obtain plates.

AAC: What sounds like what's going to happen is there is going to be possibly two Class II License dealers almost abutting each other. There is no agreements between Farrell and Dalzell relative to covenants not to compete or any private contractual arrangements?

from the desk of
MARJORIE PUTNAM

- CBS: I can tell you this. That the sale from Country Volvo to Farrell Motors was a sale of assets, did not involve good will, does not involve consulting agreement and does not involve a covenant not to compete.
- AAC: Mr. Farrell has no problem?
- CBS: Mr. Farrell is well aware of the fact that I am here today because he wishes to get the plates.
- Tom: That location that Mr. Dalzell has recently purchased and you may be aware of, has been somewhat a thorn in the side of the Board of Selectmen.
- CBS: I suspect, going back to about 1967.
- Tom: Exactly, you are well aware of this?
Alright. Is Mr. Dalzell going to be doing any renovating on this particular piece of property?
- CBS: The answer is that he intends to. He intends to improve the property and clean it up pretty much what he has done on just about all properties that he has purchased.
- Tom: I noticed there are two which look like trailer trucks down in that vicinity now. Will this be used by Mr. Dalzell for office or do you have any idea what they will be used for?
- CBS: I asked him about that. The vehicles are there momentarily because he had to get them off the premises that a real estate trust has leased to Mr. Farrell and so they were brought down (Mr. Dalzell's real estate trust), and they were brought down there and he is trying to find a place to put them. I don't know, I have not been by there so I don't know what it looks like, but I can imagine. It is unsightly. Any restrictions the Board feels necessary, I certainly have no objection to because I think that Mr. Dalzell

from the desk of
MARJORIE PUTNAM

intent~~t~~ is consistent that that of the Board - that this property be improved. It is not going to be a wholesale used car lot. I want to make that clear. If you want to limit the cars, I have no problem with that one.

LJB: You have to come in for a Site Plan Hearing.

CBS: I told that to Mr. Dalzell. I suspected that that would be brought up and I would have no objection if we could get this done to accommodate the transfer that the Board of Selectmen hold the license.

LJB: Do you meet the Zoning?

CBS: Yes. This is not a Business Zone. It is Industrial.

LJB: For the convenience of Mr. Dalzell, just to move one plate out of the other so that he can retain his ownership of these repair plates, I have no objection of issuing this Class II License subject to meeting some of these requirements at a later date. Would it help to make the transfer right now?

CBS: Yes it would. I think it is Industrial Zoned. That is my opinion. It is going to be subject to the Board of Appeals.

LJB: I think you will have to ^{pe}search the records. You know when we changed the zoning from 750 ft. in I think it is worth checking. I think it was reversed.

Tom: Here is a 1976 letter ... business zone.

CBS: I don't questions that, the question is whether it has been changed from Industrial back to Business. I will check that. It appears on this map that it is red. I request that the Board hold it.

from the desk of
MARJORIE PUTNAM

AAC: Are you asking us to approve it subject to certain conditions?

CBS: I am asking you to approve it subject to the limitations you want to put on the use and secondly, if required, there may be some question, obviously complying with the zoning.

LJB: If ^{it} is industrial, you have no problem at all.

AAC: What is the principle business? Could you describe what he is going to do down there?

CBS: Yes. He plans to buy from one dealer used automobiles and sell to another. Occasionally, he may pick up a car and sell it. Principle business is going to be what they call wholesale sale of used cars.

AAC: Do you believe in your mind that under Chapter 140, Section 58, Class II that that complies with the requirement of the principle business of selling second-hand motor vehicles. There is very little interpretation of those sections.

CBS: All I know is what he tells me he is going to do.

AAC: All right.

LJB: The Board in order to make sure we are not issuing a license in a noncompliance area, I suggest we issue the license subject to the zoning in that area. That will initially meet your requirements and your client's to move the license from one area to another even if it is just temporarily. If it doesn't comply, it can be moved to another location. He will have to have a site plan hearing.

AAC: These are a lot of conditions we are putting, we are adopting something conditional upon everything. We don't have a site plan before us.

from the desk of
MARJORIE PUTNAM

LJB: The Board can issue any license or licenses to any individual or a corporation subject to conditions and the execution of the actual license will not be met until the client or the corporation has met the conditions that the Board has requested.

(1)

CB: One would obviously be complying with the site plan regulation, (2) that the zoning is proper.

AAC: How do we condition the site plan after we have - what is the value of you having a conditional license? Is there some value that solves this problem?

CBS: Yes, because he has to either give up his plates so that Farrell can go get some plates.

AAC: So the Registry is going to be satisfied with a conditional permit, even though we may actually take it away or he may not in actuality get it?

CBS: He is going to lose his plates one way or the other if nothing happens or if he doesn't meet the conditions.

end of tape ... didn't tape any more of meeting.

Marjorie Putnam
Marjorie Putnam

CBS = Charles B. Swartwood III. Attorney for Mr. Dalzell
AAC = Selectman Aldo A. Cipriano
LJB = Chairman Louis J. Bartolini
Tom = Selectman Thomas W. McAuliffe

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, September 22, 1981

Hearing Room

7:30 p.m. Present were Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, members of the press and interested citizens.

Treasury Warrants signed by the Board:

#6 Revenue Sharing	\$ 6,458.14	#50	\$ 36,479.08
#48	\$ 5,821.49	#51	\$ 6,702.89
#49	\$ 93,733.05	#52	\$ 47,079.87

PERMITS GRANTED:

Board unanimously VOTED to renew for another 30 days Temporary Office Trailer Permit to Carlin Machine Co., Inc., 12 Southville Road, (c/o Mr. Parabolicoli, President of Ashland Building Co., Inc.).

SITE PLAN APPROVAL:

Red Roof Inns Site Plan was unanimously Voted to be approved as submitted, subject to approval by the Southborough Board of Health. (See 8:05 p.m. appointment on tonight's Agenda for more details.)

LICENSES APPROVED:

Board unanimously VOTED to grant an Auctioneer's License for one day to James A. McCaw, Superintendent of Buildings and Grounds of Fay School, 48 Main Street, for auction at Fay School on October 24, 1981.

Board unanimously Voted to grant a one-day Special Permit to each of the following:

1. Southborough Cultural Arts Council (SCAC) c/o Edith Myerson, Chairman, to sell wines and Malt Beverages, at So. Union School, Sat., 10/3/81 3 - 5 pm.
2. Paul Patterson, 44 Flagg Road, stag party at St. Anne's Parish Hall, Boston Road, on Saturday October 10, 1981.
3. Paul Patterson, 44 Flagg Road, Wedding reception at St. Anne's Parish Hall, Boston Road, Saturday October 31, 1981 from 12 noon to 12 midnight.
4. Peter Phaneuf, 179 Middle Road, Promotion Party for Brian Mauro at St. Anne's Parish Hall, Boston Road, on Saturday November 21, 1981 from 7 p.m. to 1:a.m.

Class II Automobile Dealer's License (to sell second-hand cars)

Board unanimously VOTED to grant Class II License with restrictions to Hugh M. Dalzell d/b/a Country Motors, 90 Turnpike Road/2 Woodland Road. (See 8:19 p.m. appointment for further details.)

RESIGNATION

Board noted resignation of Lawrence Susskind from the Advisory Committee effective September 15, 1981.

APPOINTMENT

Ronald S. Gray of North Brookfield, Massachusetts was appointed Reserve Police Officer effectively immediately. (see 8:39 p.m. appointment for more details)

OLD BUSINESS:

Re Stop sign request at Richards Road intersection, Administrative Assistant Grossman said Highway Superintendent Boland was preparing plans for same which will be submitted to the Board for its approval. Mrs. McDaniel is to be notified.

SCHEDULED MEETINGS:

8:05 p.m. Re: Red Roof Inns, Inc. revised site plan/re property at
to 367 Turnpike Road. Mr. Joseph Sullivan, Engineer for Red Roof
8:18 p.m. and the Superintendent of Construction were present. Mr. Sullivan
presented a revised site plan to the Selectmen incorporating all
of the suggestions at the September 22, 1981 site plan hearing such as showing
the nearest building or residence to the proposed project, showing the elevation
of the buildings proposed to be constructed in order that the lighting to be
mounted on top of building does not affect the nearest abutters and Rte.9
traffic, showing a cross-section of the proposed road to prove it is being
constructed according to Planning Board regulations, etc. He also
presented a brochure showing what the completed structures will look like.
They do not plan to place any street lighting poles. All wiring for
utilities will be placed underground coming in from Flagg Road. If the lights
mounted on top of the building (18 feet height) annoy anyone, they will place
the proper shading on them if needed. Only access road will be from Turnpike
Road (Rt.9). Mr. David Scattergood of the Planning Board relayed to
Mrs. Putnam that Red Roof Inns has met all Planning Board concerns. Selectman
McAuliffe made a Motion that the Site Plan as submitted by Red Roof Inns, Inc.
tonight be approved conditional upon the approval by the Board of Health, and
the following conditions: (1) The construction traffic will use only the
Route 9 access. (2) Proper shading will be placed on the outside lighting if
said lighting presents a problem to residents. Motion was seconded by
Selectman Cipriano and VOTED by a unanimous voice vote of the Board.

8:19 p.m. Meeting Re application by Hugh M. Dalzell d/b/a Country Motors
to for a Class II License to Buy, Sell Second Hand Motor Vehicles
8:39 p.m. or Parts on property located at 90 Turnpike Road/2 Woodland Road,
Fayville. Present for Mr. Dalzell was his attorney Charles B.
Swartwood III. Due to the fact that Mr. Dalzell recently sold his business
called Country Volvo, Inc. at 78 Turnpike Road to Farrell Motors, Inc.,
he has purchased property at the corner of Woodland Road and route 9 from
Mr. Feldman. Mr. Dalzell plans to conduct basically on a wholesale basis,
that is, buying from a dealer and selling to a dealer used automobiles. He
couldn't apply for this Class II license until his purchase of the
property (which was just accomplished about a week ago) and prior to the
sale of assets of Country Volvo, Inc. to Farrell Motors, which was just
accomplished on Friday.

The urgency is due to the fact that Mr. Farrell needs dealer plates that Mr. Dalzell has and Mr. Dalzell also needs plates. Mr. Swartwood assured the Board that the sale from Country Volvo to Farrell Motors was a sale of assets, did not involve good will, does not involve consulting agreement and does not involve a covenant not to compete.

Selectmen McAuliffe brought up the fact that the Board has had a problem with 2 Woodland Road for many years since 1967 at least. Mr. Swartwood was aware of that fact and stated that Mr. Dalzell intends to improve this property as he has with other property he has purchased. When questioned as to the trailer trucks on the property, Mr. Swartwood stated that the vehicles are there momentarily. Mr. Dalzell had to get them off the other property and were placed at his new property until he finds a place to put them. Mr. Swartwood assured the Board that this property will be improved and is not going to be a retail used car lot. Mr. Dalzell's principle business will be to buy from one dealer used automobiles and sell to another dealer, that occasionally he may pick up a car and sell it. The Board told Mr. Swartwood that site plan approval is needed. Mr. Swartwood was aware of that and plans to file for same. Chairman Bartolini asked if they met the zoning requirements. Mr. Swartwood believes it is Industrial but records show it was zoned Business at one time. The records are to be researched to see if the zoning has changed and what current zoning is on that property. Attorney Swartwood stated that he would agree to a conditional license and that his client would comply to any conditions the Selectmen placed on this license. He needs this license in order that the Registry will give him new plates and then he can release his other plates to Farrell Motors. Selectman McAuliffe made a Motion that the Board issue to Mr. Dalzell a Class II License subject to the conditions as set forth by this Board, namely: that Mr. Dalzell must: (1) Comply with the Zoning By-Laws of the Town of Southborough. (2) Comply with the Site Plan Regulations. (3) Must obtain all necessary permits including, but not limited to, building permits. Motion was seconded by Selectman Cipriano and carried by a unanimous voice VOTE of the Board.

8:39 p.m. At the request of the Board, Sgt. William J. Colleary, Jr., Officer-in-Charge, Police Department, appeared before the Board to substantiate his request for another Reserve Officer, namely Ronald S. Gray. Sgt. Colleary said at the present time there are approximately 10 men on the Reserve Force. Two men are at the State Police Academy and he needs to fill 10 shifts a week from overtime and the Reserve Force. SEE* He needs another Reserve. Officer Gray knows the Town, knows the Force, knows the Rules and Regulations. Refusals go according to seniority. Officer Gray's name would go at the bottom of the seniority list. The present list will not be cut. Selectman Cipriano made a Motion that the Board appoint Ronald S. Gray as a Reserve Officer for the Town of Southborough, effective immediately. Selectman McAuliffe seconded this Motion and it carried with a unanimous voice VOTE of the Board.

STATE LEGISLATION

Board noted September 15, 1980 letter from State Representative Joseph Navin enclosing copies of House Bill 7095 (An act providing that local assistance be allocated to cities and towns as to alleviate certain losses and operating revenues). Administrative Assistant Grossman said this bill instead of helping us would hurt us and suggested that the Board not support this bill.

*First refusal go to the Regulars and the Reserves take the rest.

We would receive less local aid than we did under the current law. Because the Assessors took into consideration the loss in excise taxes on the levy in 1981, that that is not reflected in the difference between 1981 and 1982 levies so that it does not indicate our total loss. The figures as they stand now do not reflect the town's total loss. Selectmen agreed.

WORCESTER COUNTRY COMMISSIONERS

Board noted September 10, 1981 letter from Worcester County Commissioner Francis J. Holloway expressing a desire to attend a meeting of the Board of Selectmen. Selectmen directed Administrative Assistant Grossman to inform Commissioner Holloway that the Selectmen meet every Tuesday night and invite him to come to any meeting he so chooses.

INSURANCE

Board noted 8/25/81 memo from Fireman's Fund Insurance Co. to our insurance agent C.E. Williams stating that it would not be willing to write higher auto liability limits than currently provided due to the catastrophe potential of the police, fire and ambulance vehicles. Mr. Williams is contacting one other company to see if it will handle this matter.

COMMISSIONS/BOARDS

In answer to the Board's query, Recreation Director Carroll Harris said that in the last year and a half, the Recreation Commission has replaced the basketball hoops at Fayville Field three times and within 24 hours the hoops were vandalized. On October 5, 1981 the Commission will include this problem in its agenda and see if the backboards can be replaced with steel or fiberglass instead of the wood presently used.

9:00 p.m. VOTED: to adjourn the meeting.

Marjorie R. Putnam
Marjorie R. Putnam, Secretary

mrp/mfm

MINUTES OF SPECIAL MEETING

BOARD OF SELECTMEN

Wednesday, September 23, 1981

Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Psychologist David G. Javitch, Ph. D. from Rohrer, Hibler & Replogle, Inc.


7:30 p.m. Meeting convened.

Due to the fact that the discussion will center around the mental health of the four police chief candidates, Selectman Cipriano made a Motion, seconded by Selectman McAuliffe, to continue the meeting in Executive Session under the restrictions of Section 11B, subsection (1) of Chapter 30A of the General Laws of Massachusetts, which permits the Board of Selectmen to hold an Executive Session to discuss the reputation and character, physical condition or mental health, of an individual. Board stated that the meeting will not be reconvened at the conclusion of the Executive Session and that no votes will be taken. Unanimously VOTED by a roll call vote to go into Executive Session.

7:12 p. m. Executive Session convened.

At this time the psychologist, the Selectmen and the Administrative Assistant discussed the psychological reports on Messrs. Nix, Colleary, Baker and Cella.

9:53 p.m. Executive Session and Selectmen's Meeting adjourned.


Jeffrey A. Grossman, Administrative Assistant

jag/mfm

MINUTES OF MEETING (Special)

BOARD OF SELECTMEN

Monday, September 28, 1981


Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman.

8:10 p.m. Meeting convened. Due to the fact that there will be a discussion regarding the mental health of individuals, Selectman McAuliffe made Motion, seconded by Selectman Cipriano, that the Board of Selectmen will hold an Executive Session under the provisions of Section 11B, subsection (1) of Chapter 30A of the General Laws of Massachusetts. It was unanimously VOTED by a roll call vote to go into Executive Session. Board stated that the meeting will not be convened at the conclusion of the Executive Session and that no votes will be taken.

8:20 p.m. Executive Session convened.

The Board of Selectmen interviewed Ronald Nix, David Cella, William J. Colleary, Jr. and William Baker.

11:43 p.m. Executive Session and the Selectmen's Meeting adjourned.


Jeffrey A. Grossman, Administrative Assistant

jag/mfm

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, September 29, 1981

Hearing Room

7:30 p.m. Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Office Manager Janice Conlin and Secretary Marjorie Putnam. (Administrative Assistant Jeffrey Grossman absent.)

Treasury Warrants signed by Selectmen:

\$83.60 #7 Revenue Sharing	\$28,871.45 #54
\$19,150.33 #53	\$31,104.09 #55

PERMITS:

(1) Zoning By-Law Permit granted to Amos H. Heckendorf to build a single family resident at 45 Valley Road (Assessors' Map 57-Lot 5)

(2) Site Plan approved - Rt. 9 Beer & Wine, Inc., Franklin H. Spinner, Manager, to operate store at 349 Turnpike Road (see 8 p.m. appointment for more details)

(3) HOLD placed on 30-day Temporary Trailer Permit requested by Hugh Dalzell d/b/a Country Motors on property located at 90 Turnpike Road/2 Woodland Road. Several abutters were present and inquired as to the contents of the trailers. Selectmen directed Building Inspector to inspect this property for any violations re obtaining necessary permits and to inspect the contents of the trailers on said property. Selectmen would like Mr. Dalzell to attend next week's meeting.

LICENSES APPROVED:

(1) One-day Special License granted to Lincoln Sq. Club c/o Loretta Nelson, 11 Prentiss Street, for a country-western dance to be held at St. Anne's Parish Hall, Boston Road, on Saturday, October 24, 1981 from 8 p.m. to 12:30 a.m.

(2) Package Store/Wine & Malt Beverages License approved re Rt. 9 Beer & Wine, Inc., Franklin H. Spinner, 349 Turnpike Road. (see 8 p.m. appointment for more details.)

APPOINTMENT:

Helene H. Harrington, 4 Richards Road, appointed as a Special Municipal Employee as a Member of the Advisory Committee (under the provisions of Chapter 268A, Sections 1 & 17 of the General Laws, her term to expire in May 1983.

RESIGNATION:

Board noted resignation of Lawrence Susskind, 32 Jericho Hill Road from the Advisory Committee, effective September 15, 1981, the date of his letter to the Town Clerk.

JURORS DRAWN: (for Worcester Superior Court as Traverse Jurors on November 2, 1981) (1) Steven J. Bates, 21 Newton St., (2) Joan L. Weir, 11 MacNeill Dr., and (3) Marjorie W. Howes, 29 Walnut Dr..

SCHEDULED MEETINGS:

7:30 p.m. Board met with Chairman of the Board of Assessors Arthur to Sisson and Charles Johnson. The Assessors needed a vote

7:40 p.m. from the Board of Selectmen regarding the classification of property. Last year the Board of Selectmen and the Board of Assessors voted a Residential Factor of One

which means that one tax rate would be used with all parties paying equally. The Department of Revenue interpreted the law that five different rates should be used; that is, commercial and industrial would pay the highest tax rate, residential pay a lower tax rate and open space could go either way. The Assessors recommended sticking with the Factor of One as they are near full market value on all property. Therefore, Selectman McAuliffe made a Motion that for classification purposes, the Board vote to approve a Factor of One. Selectman Cipriano seconded the Motion and it was unanimously voted by voice vote. The Assessors said the official form will be arriving shortly from the State and it will be signed by the Board of Assessors and sent around to the Selectmen for their signature. Assessor Johnson will deliver it to the Department of Revenue, Bureau of Local Assessment, Boston.

7:45 p.m. Re: Gasoline Contract for the Town of Southborough. The Board noted that the bids were opened September 28, 1981, and that two bids were received, as follows:

<u>Supplier</u>	<u>Regular</u>	<u>Unleaded</u>
Chevron U.S.A.	\$1.178	\$1.218
Marlco, Inc.	\$1.269	\$1.309

Selectman McAuliffe made a Motion to take the bids under advisement. Selectman Cipriano seconded the Motion and it was unanimously voted by voice vote.

8:00 p.m. Site Plan Hearing and Application for Package Store/Wine & to Malt Beverages License Hearing Route 9 Beer & Wine, Inc.,

8:20 p.m. 349 Turnpike Road (near I-495), Franklin H. Spinner, Mgr. Present: Franklin H. Spinner (home address: 5 Summit Road, Southborough) and his attorney Robert E. Cowden III of Chaplin, Casner & Edwards, Boston, MA. Certified Receipts

were presented to the Board proving abutters were properly notified of this hearing. Mr. Spinner will be using the existing building and he plans to make a few improvements. The curb cuts are existing ones and will remain the same. The Texaco sign on the easterly side of the property will be removed. Six-inch berms will be placed on the westerly side of the property. The concrete gasoline pump island will be removed. Town Boards had no problem with this site plan. Building Inspector Edgar Phaneuf stated that he had no problem with the site plan. It was determined that this proposed establishment was approximately 2½ miles from Mauro's Market, 2.8 miles from Turnpike Market, and 3.8 miles from Bill's Package Store. Mr. Spinner agreed to use low-

sodium lighting if necessary to protect the surrounding area from unnecessary glare. The only complaint registered regarding the Package Store License was from Attorney C. A. Peairs of Westborough representing Mrs. Elizabeth P. Bruneck of 359 Turnpike Road. This letter stated that Mrs. Bruneck was apprehensive as to this type of business creating a type of traffic too near her home. She is handicapped and cannot exercise normal patrol supervision over her premises and outbuildings. She also owns buildable property nearby, fronting on Flagg Road, and is concerned that this business would be a serious threat to the quality of the residential area lying behind the store impeding the development of same. The Board of Selectmen reviewed this letter but did not agree that this business would drastically affect Mrs. Bruneck's properties. The traffic would be no more than was created by the gas station that was there before. Mr. Spinner said that this proposed business will not distract from the area and that this proposed business is a permitted use under the zoning regulations for that area. He does not believe that his business will attract undesirable people. Mr. Spinner said that Mrs. Bruneck's house is quite a ways away. This building once housed an auto body shop and the building is only ten years old constructed of brick and block. It is in very good shape but it has not been used for at least three years. Selectman McAuliffe made a Motion that the Board accept the Site Plan as submitted. Selectman Cipriano seconded the Motion and it was VOTED by a unanimous voice vote. Selectmen McAuliffe made another Motion that the Board grant, subject to approval by the Alcoholic Beverages Control Commission, a Package Goods Store/Wine and Malt Beverages License to Rt. 9 Beer & Wine Inc., Franklin H. Spinner, Manager. Motion was seconded by Sel. Cipriano and VOTED by a unanimous voice vote.

8:22 p.m. Meeting with Mr. Helmer Metz, 9 John Street, regarding to property located at 7 John Street. Mr. Metz questioned
8:47 p.m. as to whether or not 7 John Street was a buildable lot. He stated that according to the Town building codes there is no proper plumbing or heating arrangement in the existing building, no septic tank, no electric system, etc. Is it a habitable building? He wanted to know if a perc test would be involved, would there be variances involved.

Chairman Louis Bartolini informed Mr. Metz that there were no applications before the Board at this time. If application is made to the Board, proper action will be made at that time. No one has filed for any permits with the Board of Selectmen.

Mr. Metz informed the Board that he had talked to the owner who says he plans to add onto the existing property and to make it a rental property. Mr. and Mrs. Metz mentioned there is a well on the property with a concrete cover. The well is a drop of about 30-40 feet until you reach the water. Mr. Metz said his children use that property as a shortcut. He said Mrs. Metz could lift that cover off and they want dirt to cover it. They oppose the property being made into rental property.

A neighbor, Wally Dunnett, stated that the building had no electricity, rough flooring, no plumbing system, and considers the building a shed and questioned whether you can build onto a shed which is approximately 12' x 18' in size.

Selectman McAuliffe stated that for 25 years it was a dwelling for somebody.

Another neighbor at 14 John Street said it is a disgusting squaller. It is not a house to become a rental property. There are 14 single-owned homes on John Street.

Mrs. Dot Metz said that she feels it is nonlivable.

Selectman McAuliffe said that if it meets all the requirements of the By-Laws, a permit could then be issued. If it does not meet the By-Laws, no permit will be issued. The Board of Selectmen cannot instruct the Building Inspector not to issue a Building Permit if all the requirements do meet the zoning requirements of the Town. This is a Class C lot. There are regulations which protect "C" lots. If someone can improve that dwelling, then I do not see how the Board can legally instruct the Building Inspector not to issue a Permit.

✓ Mrs. Metz: "It has to be seen."

Selectman McAuliffe repeated that if the property falls within the guidelines of the Town, then a permit can be issued.

Henry Valcour (10 John Street) asked as to what was the procedure to add onto this building.

Chairman Bartolini: Board of Health approval, Zoning Board of Appeals if a variance is needed.

Valcour asked if it was up to the Building Inspector to point out the need of going to the Zoning Board of Appeals?

Answer was in the affirmative.

Mr. Metz stated that "last May I complained regarding the rats..." "I called the Town Hall and requested the Board of Health to investigate the property. He had also complained regarding the food left in the refrigerator, food left in the cupboards, food in the hallway. "I found out that the Building Inspector had checked it out. He said that all that needed to be done was a lock on the door." Mr. Metz said that the refrigerator had no lock. Mr. Metz said "Don't send a building inspector on a Board of Health problem."

Chairman Bartolini said that after the complaint, the property was secured and taken care of.

Selectman McAuliffe said it is not the function of the Building Inspector to carry out the duties of the Board of Health. But had Mr. Metz waited for the Board of Health part-time officers, that the building would not have been secured for sometime. It was Mr. Phaneuf's responsibility to secure that building.

Chairman Bartolini instructed, at this time, Janice Conlin (Office Manager for the Board of Selectmen) to ask the Board of Health that when they plan to review any application that they notify Mr. Metz. Ask them to call Mr. Metz.

8:47 p.m. Meeting with Mr. Metz et al ended at this time.

8:52 p.m. Meeting with Roger Bray (9 Woodland Rd.) regarding
to 2 Woodland Rd. (aka 90 Turnpike Road/2 Woodland Road
9:38 p.m. property). Mr. Bray is in opposition to what Mr.
Hugh Dalzell is planning to do with this property.
Mr. Bray said that Mr. Dalzell is filling in land. Does
he have Conservation Commission permission? Mr. Bray
presented the Board with a petition signed by himself and 16 others
re the concerns about this property and want to know what is going
on. Do they have the proper permits? Do they have permits for the
trailers? Chairman Bartolini informed Mr. Bray that there is a re-
quest for temporary trailer permits before the Board tonight. Mr.
Bray said there is no septic system on the property. There are
wetlands on the property and they are afraid of flooding if the wet-
lands are filled in. Richard Upjohn of the Conservation Commission
said Mr. Dalzell has had fill piled there for some time. Years ago,
about April 1978, the Conservation Commission issued a cease and
desist order preventing him from bringing in any more fill. This
summer the Commission asked Mr. Dalzell to level off that fill. A
public hearing was held on July 14, 1981 and the Order of Conditions
issued to Mr. Dalzell said: "A. No more fill be added to the area
B. Seed and hay be placed on the bank
to prevent siltation."

Lorraine Keller (a neighbor and a member of the I.D.C.) said that
Mr. Dalzell all this past summer was pushing the dirt into the swamp
covering the nonabsorbable material. Selectman Cipriano asked Mr.
Upjohn if the Conservation Commission asked Mr. Dalzell to remove
the fill that he had put into the wetlands before the cease and
desist order. ~~Mr. Upjohn said they did not.~~ Mr. Upjohn said that Mr. Dalzell has just leveled
off the dirt but did not add any. Mr. Dalzell just wants to run
a wholesale used-car business. If he puts in a septic system, the
Board of Health has to see if it is workable. Mr. Dalzell will have
to meet all of the Board's requirements. Selectmen instructed that
the Building Inspector go down to this property to insure that there
are no illegal activities going on at that location with respect
to obtaining the necessary permits. Selectmen also would like the
Building Inspector to check the contents of the trailers which are
located on this property. Town Counsel stated that long before any
site plan hearing is held that Mr. Dalzell must petition the Zoning
Board of Appeals for a Variance. One abutter asked if an abutter
had any recourse against having a used-car lot next door as he
feels it will cheapen the area. Chairman Bartolini informed the
abutter that all these concerns can be presented at the ZBA hearing
when it is held. Question was raised as to whether this lot was
commercially or business zoned. Mr. Upjohn said the Conservation
Commission will check whether or not there is any new fill on the
property. Mr. Bray contends that Mr. Dalzell has continued twenty
(20) feet into the wetland area when he levelled it off. Mr. Bray
said this place is an eyesore. Selectman McAuliffe said that a
restriction can limit the number of cars seen. Mr. Bray and the
petitioners want to be notified regarding any permits issued on
this property or meetings regarding requested permits. Board asked
that Mr. Dalzell or Attorney Swartwood attend next week's meeting
to discuss his request for two temporary trailer permits.

CORRESPONDENCE:

Board noted September 29, 1981 Memo from Board's Secretary regarding
Police Officer Richard Mattioli's inquiry as to when the No Hunt-
ing signs will be posted regarding the vote at ATM 1981 Article 6

which bans hunting in Southborough without written permission of the land owner. Board instructed Highway Supt. Boland to have 25 signs made for the Police Department to post.

Board noted September 22, 1981 letter from John K. Shortsleeve, Director, Bureau of Solid Waste Disposal, Dept. of Environmental Management re the siting of environmentally sound chemical waste treatment facilities and invite the suggesting of a site. Selectman Cipriano asked that the Board send a letter stating that Southborough does not want to be considered for a hazardous waste site and that the Town Counsel be directed to review this matter looking into the possibility of constructing a by-law that prohibits the siting of a hazardous waste treatment facility in the Town of Southborough. Board agreed with Selectmen Cipriano.

9:46 p.m. MEETING ADJOURNED.

Marjorie R. Putnam

Marjorie R. Putnam, Secretary

mrp/j

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, October 6, 1981

Hearing Room

7:30 p.m. Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, members of the press and interested citizens.

Treasury Warrants signed by the Board:

\$ 88.00	Revenue Sharing #8	\$ 6,357.03	#58
\$ 98,372.43	#56	\$ 14,176.83	#59
\$350,000.00	#57		

PERMITS GRANTED:

(1) Site Plan Permit granted conditionally to Exxon Company, U.S.A. for a self-service gasoline station (amending site plan permit granted by the Board of selectmen on 1/27/81). (See 8 pm appointment for more details.)

(2) Zoning Permits granted to : (a) David L. Ferguson (Swanson-Janson Co.) to build a single family dwelling at 10 Hillside Avenue, (Lot 66-3B), and (b) Vahan Sarkisian (Borough Corp.) to build a single family dwelling at 9 Ledge Hill Rd.-Lot 15 (Map 74-12).

(3) 30-Day Temporary Trailer Permits---Two permits were issued to Hugh M. Dalzell for 90 Turnpike Road/2 Woodland Road d/b/a Country Motors. (For more details see 8:30 p.m. appointment.)

LICENSES APPROVED:

(1) 1-day Special License issued to Fellowship Committee of St. Andrew's Episcopal Church of Framingham c/o Lois Meserve, P.O. Box 2272, Fram, Centre, MA 01701 for a Dixieland Jazz Concert at the Reinke Bldg., Middle Road, Southborough on October 24, 1981 from 8 pm to 12 midnight.

(2) Annual Auctioneer's License issued to Julie Pond, 4 Upland Road, Southborough, license to expire October 6, 1982.

APPOINTMENT:

UNANIMOUS VOTE to appoint Police Dispatcher Sandra A. Brock, 9 Latisquama Road, Southborough, MA as a Special Police Officer, Southborough Police Department. Her term will expire May 1982.

SCHEDULED MEETINGS:

7:30p.m.

Selectmen McAuliffe made a Motion that the Board award to Chevron U.S.A. the contract for regular gasoline at \$1.178/gallon and for unleaded gasoline at \$1.218/gallon as per their bid price of September 21, 1981. Selectman Cipriano seconded this Motion and it was unanimously VOTED by voice vote.

8:00 p.m. Site Plan Hearing (amending 1/27/81 site plan)

to Fuel Storage License Hearing (amending 1/27/81 Storage

8:10 p.m. License) on application of Exxon Company, U.S.A. regarding property located at 344 Turnpike Road.

Site Plan: Present for Exxon: David C. Johnson, Attorney (Nutter, McClennen & Fish of Boston). Exxon asked the Board for permission to amend Site Plan approval of January 27, 1981. Exxon would like to add a diesel fuel dispensing unit on the pump island nearest Turnpike Road. Second, Exxon would like to convert the station from a split-island operation (offering full-serve and self-serve pumps) to an entirely self-service operation. Exxon has applied to the State Fire Marshall for a permit for a self-service operation for this station. Exxon proposes to install a single canopy sign instead of the original proposal of two canopy signs. The lighting and the drainage on the January 27 site plan will remain unchanged.

As no objections were received from any town boards or from the abutters, Selectman McAuliffe made a Motion that the revised Site Plan as presented on 10/6/81 be approved subject to the approval of the Zoning Board of Appeals and subject to Exxon receiving the necessary State approval for a self-service license. Motion was seconded by Selectman Cipriano and unanimously VOTED by voice vote.

Fuel Storage License: Board unanimously VOTED to grant to Exxon Company, U.S.A. a license to store in underground tanks 22,000 gallons of gasoline, 10,000 gallons of diesel, 500 gallons of waste oil and 500 gallons of fuel oil on the premises located at 344 Turnpike Road (nearest cross street: Coslin Drive). This license supersedes all previous licenses issued. This license is subject to the receipt of the approval of the Zoning Board of Appeals and the approval from the State for a self-service license on 344 Turnpike Road. (This was advertised in the Worcester Telegram 9/28/81.)

8:22 p.m. Board met with Chairman of the Board of Assessors to Arthur Sisson. Assessors have received approval from

8:24 p.m. the Department of Revenue (on October 5) and the new tax rate is \$24.97 a thousand. Last year's tax rate was \$26.50 which is \$1.53 higher than this year. The tax bills will be mailed out on Friday October 9.

8:30 p.m. Attorney Charles B. Swartwood III, representing his
to client Hugh M. Dalzell, met with the Board as requested
8:34 p.m. regarding two applications for a 30-day Temporary
Office Trailer Permit on property located at 90 Turnpike
Road /2 Woodland Road. Board reviewed Building Inspector Edgar
Phaneuf's Report dated October 1 regarding his inspection of the
contents of three tractor-trailer type trailers on this lot. Mr.
Swartwood explained that when Mr. Dalzell sold his property at
78 Turnpike Road he had to move the trailers quickly and so they
were placed on the lot where they are now. The contents of the
trailers are lumber, antifreeze, building materials, etc. Since
everything appeared to be in order, Selectman McAuliffe made a
Motion that the Board approve the request of Mr. Dalzell to store
two storage trailers (for 30 days) which are currently located
at 90 Turnpike Road, Fayville. Selectman Cipriano seconded the
Motion. Motion was VOTED as follows: For - Chairman Bartolini
and Selectman McAuliffe. Against: Selectman Cipriano.

Chairman Bartolini read October 5 letter from Brian Mauro,
Chairman, Conservation Commission regarding property at 90 Turnpike
Road/2 Woodland Road stating that it was determined that the work
permitted by its Order of Conditions (dated August 1981) has been
completed except for seeding and haying of the banks.

9:02 p.m. Selectmen met with the Personnel Board members: Janice
to Fletcher (Chairman), Barry Silver, Nannette Linden and
9:20 p.m. Richard Dinjian. Subject: Starting salary for incoming
Police Chief. Mrs. Fletcher informed the Selectmen that
it is the policy of the Town for new employees to start at Step 1
except by a vote of the Personnel Board. The Personnel Board have
reviewed the position for the Police Chief, moved and voted that
the new Police Chief shall start at Step 3 Grade 23 (\$456 per week)
due to the candidate's excellent qualifications and experience.
The Personnel Board believes that starting at Step 3 will give the
candidate room to grow.

Each Board member stated that he reviewed all documents
and was ready to make his selection of a candidate to send to a
doctor for a physical.

Selectman McAuliffe made a Motion that Sergeant William
J. Colleary, Jr. be selected to take a physical Thursday morning
and complete the physical examination on Friday morning at New
England Medical Center. This Motion was not seconded.

Selectman Cipriano made a Motion that William D. Baker
a finalist candidate for the position of Police Chief in the Town
of Southborough be and is hereby instructed to take a physical
examination which shall include but not be limited to stress testing
and a comprehensive electrocardiogram test at the New England
Medical Center in Boston on October 8, 1981 and October 9, 1981.
Chairman Bartolini seconded this Motion.

Discussion on this Motion: Selectman McAuliffe stated
for the record as follows: that at the beginning of this process
he did not feel Sgt. Baker had met the original requirement as

set forth by the Board of Selectmen in that the Board clearly stated that the candidate must have a minimum of three years experience in an administrative or managerial capacity. Selectman McAuliffe stated that Sgt. Baker had eighteen months in the Town of Southborough as a Sergeant. He had two years prior to coming back to the Town of Southborough as a Patrolman. Selectman McAuliffe did not consider the time that Mr. Baker spent in Maine as a Training Officer as managerial experience. In Selectman McAuliffe's opinion Mr. Baker has eighteen months as a Sergeant in the Town of Southborough, 6 months with the company he is employed with, 24 months total - 12 months short of the requirement set forth by the Board of Selectmen. Selectman McAuliffe nominated Sgt. Colleary as he has had 18 years experience in the Town of Southborough, 10 of which he has served as Sergeant. Sgt. Colleary had an opportunity to leave the department to obtain a better position but stayed in Southborough and has remained loyal to the Southborough Police Department and to all of the people in this Town. He has been Acting Police Chief and/or Officer-in-Charge of the Police Department. Selectman McAuliffe expressed his disappointment at not receiving a second to his Motion.


Selectman Cipriano said that Baker's qualifications for administrative and managerial experience was brought up in the interview process. Mr. Baker was a Court Officer, a Training Officer, a Departmental Representative in a number of activities in Maine, and that experience is adequate, in Selectman Cipriano's opinion, to meet the requirements set forth by the Board. Selectman Cipriano said he agreed with everything said by Selectman McAuliffe. It was not an easy decision to make. In Selectman Cipriano's best judgment as to who is the most qualified candidate, he found that Mr. Baker best met those qualifications.

Selectman McAuliffe stated that one candidate, Dick Waller wrote a letter that he did not apply due to the fact that he did not feel he met the administrative/managerial qualification listed in the legal ad.

Selectman Cipriano said that no one can control how someone interprets the ad.

At this time a roll call vote was taken on Selectman Cipriano's Motion: Selectman Cipriano: yes; Selectman Bartolini: Yes; Selectman McAuliffe: No. Motion carried by a 2 to 1 vote.

9:22 p.m. VOTED: to adjourn the meeting.


 Marjorie R. Putnam, Secretary

mrp/mfm

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, October 13, 1981

Hearing Room

7:30 p.m. Present were Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, and members of the press.

Treasury Warrants signed by the Board:

\$ 3,596.80	#9 Revenue Sharing	\$ 27,145.05	#61
\$ 20,205.40	#60	\$ 47,035.22	#62

PERMITS GRANTED:

By unanimous voice vote, 30 day temporary trailer permit granted to Exxon Company, U.S.A. for 344 Turnpike Road.

RESIGNATION:

John D. Mauro, Jr., 35 Boston Road, Southborough, as Civilian Dispatcher, Police Department, effective October 24, 1981.

PROCLAMATION:

Selectmen proclaimed the week of November 8 through 14, 1981 as Emergency Medical Services Week.

SCHEDULED MEETINGS:

7:45 p. m. Hearing on two petitions by Massachusetts Electric to Company:

- 7:47 p.m. (1) Pole Relocation on School Street to serve St. Mark's School "beginning at the intersection of Main Street then extending 1,606 feet northerly to proposed relocated pole #16 School Street." (Plan No. D81-86)
- (2) Electric underground conduit to serve St. Mark's School "beginning at existing pole #16 then extending 32 feet westerly, one underground street crossing" (Plan No. D81-87)

Present for Mass. Electric Company Carl Anderson. No abutters presented any objections. Selectmen Unanimously VOTED to grant above two petitions to Mass. Electric.

Before the next Meeting started Chairman Bartolini stated that since his brother was involved, that he would leave the meeting and not partake in any discussion. 8:01 Louis J. Bartolini left the Hearing Room.

Chairman Pro Tem McAuliffe conducted the next Meeting.

8:00 p.m. Andrew W. Davis (5 Foley Drive) complained about to the problem Foley Drive is still having with John
8:23 p.m. Bartolini and his construction equipment being left on the remaining unsold lot on Foley Drive. This has been a continuing problem since February 1980 in that all this construction equipment has been left in a residential zoned area which the residents consider a public safety hazard. There has been no construction for over six months and although some of the material has been removed due to constant pressure from residents and the Board of Selectmen, there still remains an old shed and a trailer. Mr. Davis said that this area has been an eyesore for 20 months. Chairman pro tem McAuliffe said that since the large construction pipes had been removed he believed that the entire lot had been cleaned up. Mr. Davis said that the shed and trailer are still there and that the pipes have been removed. There are no permits for either the shed nor the trailer. Chairman McAuliffe suggested that since it seems as if this is a violation of the Zoning By-Law, that an order should be issued to remove them immediately. An investigation by the Town Counsel and Mr. Grossman showed that the shed is in disrepair. The question came up as to whether the shed was protected by any grandfather law, but the fact remains that it is still in disrepair. The shed is 18' x 10', according to Mr. Davis, and is not exempt from Building Permit regulations. The Selectmen determined that the shed and trailer owned by John Bartolini constitutes a public safety hazard and believe that the trailer is in violation of the Zoning By-Law. Therefore, the Selectmen instructed Town Counsel Busconi to render a written opinion prior to October 20, 1981 pertaining to: (1) Is the shed and trailer located on John Bartolini's lot a nonconforming use? (2) What steps are available to the Selectmen to insure that the aforementioned unsafe structures are removed from the property without delay. Selectman McAuliffe promised Mr. Davis that if this problem is not resolved by the next Selectmen's meeting that this matter will go to court. Selectmen invited Mr. Davis to come back next week.

8:30 p.m. Turnpike Road Study Committee presented its findings to the Board. Present for the Committee were Chairman
9:41 p.m. Louis J. Bartolini, Alex Hill, Fred Douglas, Gordon Stipe, Jr. and Betty Soderholm. Mr. Hill was the spokesman and gave Committee's report verbally and in writing to the Board. The Committee has no final solution to the problem of the State's request to close medians at Middle Road and at the Break Neck Hill/White Bagley Roads intersection. The State proposes closing these medians on a 6 month temporary basis. These closings that will cause inconvenience for some people are minor improvements but it just relocates the problems.

The State's traffic study will take too long to complete. The barriers will allow the emergency vehicles to cross the intersections if needed. Several interested citizens were present and asked if a Public Hearing could be set up to get more input from concerned citizens. Traffic lights would lessen the serious accidents, but cause more minor accidents. However the State has no money for lights and feels that these intersections do not qualify for traffic lights. The State usually wants free flowing traffic to cut down on smog problems from idling at traffic lights.

The Selectmen accepted the Committee's Report dated October 9, 1981 and unanimously VOTED to take it under advisement and to hold a Public Hearing at a later date on the findings of the Board. Chairman Bartolini said the Board needed more information such as figures on the activity at the Crystal Pond/Route 9 traffic lights, more information re the commuter parking at the vacant land near White Corner Restaurant which was suggested, etc.

OLD BUSINESS

Selectman Cipriano wanted to publicly thank Curtiss Landscaping for doing a substantial amount of additional cutting on Fayville Field, at no additional cost to the Town, to the satisfaction of the complainant.

Re: Ban on hunting posters. The materials have been ordered by Highway Superintendent Boland. Within the next two to three weeks they will be placed on the various sites. Permission has to be obtained from the State to place them on State land along Route 9. This has been requested of Henry Holmes, District Highway Engineer, DPW, Worcester.

Question was raised re the results of the two physical exams on final candidate for Police Chief William D. Baker. Chairman Bartolini informed the audience that Mr. Baker has passed one exam and that the Board is waiting for the results on the other. The Board will hold a Special Meeting to appoint him as Police Chief if and when it receives a favorable report from the other exam. The press will be notified of the date of the Special Meeting as soon as possible.

NEW BUSINESS:

Selectman McAuliffe informed the Board that the Southborough Police Association has requested to open contract negotiations for Fiscal 1983 and that the Southborough Permanent Firefighters Association has requested (verbally) to open contract negotiations for Fiscal 1983. Selectman McAuliffe will represent the Selectmen to negotiate with the Police and Fire unions and Selectman Cipriano and Chairman Bartolini will negotiate with the Water and Highway unions when they request to open negotiations. Selectman McAuliffe suggested letters be sent to the Police Association suggesting Monday, November 2, 1981 for the first meeting; and to the Fire Association suggesting Monday November 9, 1981 for the first meeting.

CORRESPONDENCE:

Board noted October 7, 1981 Business Certificate filed by Farrell Motors, Inc. 78 Turnpike Road, listing a new dba: Farrell Volvo.

Notice of Public Hearing by the Zoning Board of Appeals on October 19, 1981 (Monday) at 7:30 p.m. on the petition of Dennis Marguerite and Emilio Mezzone re variance to permit renovation of existing house at 30 Turnpike Road, Fayville, as an office and the construction of a warehouse to be used for the storage of materials and equipment.

9:50 p.m. Meeting was adjourned.



Marjorie R. Putnam, Secretary

mrp/mfm

MINUTES SPECIAL MEETING

BOARD OF SELECTMEN

Thursday October 15, 1981


4:30 p.m. Meeting convened in Conference Room "A". Present were: Chairman Louis J. Bartolini, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, and members of the press.

Selectman Cipriano read October 15, 1981 letter from Jonathan I. Morrison, M.D., New England Medical Center Hospitals, 171 Harrison Avenue, Boston, MA 02111, which certified that William Baker underwent a complete history and physical examination on October 9, 1981 and that the results of the examination and all tests were within normal limits and that Mr. Baker is considered to be in excellent health.

Therefore, Selectman Cipriano made a Motion that William D. Baker be and is hereby appointed Police Chief for the Town of Southborough in the County of Worcester, effective upon the passage of this Motion, for the duration of the unexpired term of Robert A. Goyette. Chairman Bartolini seconded this Motion. Roll call vote was taken: Chairman Bartolini = Aye and Selectman Cipriano = Aye. Motion passed.

Selectman Cipriano made a Motion to instruct Town Counsel Frederick A. Busconi to render a written legal opinion as to what legal or legislative means are available which would permit the Board to extend the term of office of the Police Chief prior to its scheduled expiration date.

4:40 p.m. Special Meeting adjourned.


Jeffrey A. Grossman
Administrative Assistant

jag/mfm

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, October 20, 1981

Hearing Room

8:40 pm Meeting convened late due to the fact that Selectman McAuliffe was on vacation and Selectman Cipriano was delayed in Boston.

Present were: Chairman Louis J. Bartolini, Selectman Aldo A. Cipriano, Secretary Marjorie Putnam, and members of the press.

Administrative Assistant Jeffrey Grossman met with the Personnel Board at this time and returned to the Hearing Room at 9:06pm.

Treasury Warrants signed by the Board:

\$ 1,927.38 #10 Revenue Sharing	\$ 6,407.12 #65
\$ 94,776.24 #63	\$ 80,266.60 #66
\$146,000.00 #64	

PERMITS GRANTED:

Site Plan approval granted to James and Irene Lawless d/b/a Irene's Country Doll House, 52 Richards Road (see 8:40 pm appointment for more details).

LICENSES APPROVED:

1-day Special License granted to Fay School Parents' Committee c/o Georges Danton, 48 Main St., Southborough, for an auction preview and reception at the Girls' Gym, Fay School, Main Street, on Friday, October 23, 1981 from 6 pm to 12 midnight.

BID AWARD:

Re: Sale of Ladder 22 - 1940 American LaFrance Ladder Truck (Surplus Equipment). Board unanimously VOTED to accept the bid of Michael F. Hastings of Gill, Massachusetts, in the amount of his bid of \$555.56.

APPOINTMENTS:

Unanimous VOTE: William D. Baker, 242 Wood Street, Box 31, Woodville, MA 01784, Jail Keeper, Constable, and as a member of the Community Hazardous Waste Task Force, his terms to expire in May 1982.

As per recommendations of Police Chief William D. Baker, the Board unanimously VOTED the following, their terms to expire in May 1982:

<u>Name and Address</u>	<u>Position/Department</u>	<u>Effective</u>
Sandra A. Brock, 9 Latisquama Rd. Southborough (to fill the vacancy caused by the resignation of Willard S. Putnam)	Clerk/Dispatcher Police Department	10/24/81
Frank W. Moore, 97 Woodland Rd. Fayville (to fill vacancy caused by resignation of John D. Mauro, Jr.)	Full-time Dispatcher Police Department	10/24/81

<u>Name and Address</u>	<u>Position/Dept.</u>	<u>Eff.</u>
Kathleen M. Straitt, 5 Arthur St. Clinton, MA 01510	Part-time (3 days) Dispatcher, Police Dept.	10/24/81

RESIGNATIONS:

George E. Holbrook, III from the Recreation Commission effective September 28, 1981 (his term was due to expire May 1983).

SCHEDULED MEETINGS:

8:00 pm Site Plan Hearing scheduled for Almac Moving & Storage, Inc. requesting to renovate an existing two-story, 8 room house into office space at 39-41 Turnpike Road, Fayville, has been postponed and will reconvene at a later date at the request of October 20, 1981 letter from Almac's General Manager Al MacDonald, Jr. Abutters will be notified of new date when it is rescheduled.

8:40 pm Site Plan Hearing requested by James and Irene Lawless to d/b/a Irene's Country Doll House, 52 Richards Road, to sell miniature doll house furniture, doll houses, and hand crafted accessories. Mr. Lawless presented certified mail receipts to the Selectmen proving that he had notified his abutters by mail of this hearing. Mr. Lawless gave a brief presentation of what he intends to do by reading his October 2 letter. He said this will be a family run business with no outside employees, that he and his wife will conduct the business in their house in a room @ 10' x 18'; hours of operation will be from 1:30 p.m. to 7:30 p.m. 7 days a week, expanding the hours at Christmas time. There is adequate parking for four to five cars in his driveway. He plans to erect one sign about 4' x 4'. Mr. Lawless said his driveway is 25' x 90'.

Since there were no objections from any Boards nor from any abutters, Selectman Cipriano made a Motion that the Board accept the Site Plan as presented. Motion was seconded by Chairman Bartolini and VOTED by a unanimous voice vote.

END OF SCHEDULED MEETINGS

9:10 pm Unscheduled meeting with Helmer Metz of 9 John Street regarding 7 John Street property. Mr. Metz spoke about the building addition onto 7 John Street building. He complained that he was promised that no building permits would be issued until a Hearing was held. He was notified by the Board of Health of such a Hearing. He had requested a Hearing. He attended the Hearing of the Board of Health (on October 13). He wanted to know what plans were being presented. He wanted to know what they (the owner) wanted to do. No one could come up with a plan or application. Building Inspector was asked about it. Someone went into his office. Mr. Metz' attorney said that no application could be found as to what is

being done to this property. The following day Mr. Metz sent a registered letter to Edgar A. Phaneuf, the Building Inspector, requesting to review a copy of the files pertaining to that application. Chapter 66, Section 10, says I am entitled to see the plan as an abutter, stated Mr. Metz. That was over a week ago. Last Friday I received a letter from Administrative Assistant Jeffrey Grossman which says (Mr. Metz read entire letter at this point which in essence stated that the Selectmen's office was unable to reach the Metz' via telephone and that the State Building Inspector has issued the Building Permit for 7 John Street.) Mr. Metz said that both he and his wife work and no one is home from 8 am to 6 pm that someone could have called them in the evening.

Selectman Cipriano explained that the State Building Inspector was called in due to the fact that the Town of Southborough has no Assistant Building Inspector and to avoid a conflict of interest of Edgar Phaneuf, the Building Inspector, being the brother of the owner of 7 John Street, Peter Phaneuf.

Chairman Bartolini informed Mr. Metz that the Board turned the matter over to Town Counsel Frederick Busconi. We released everything we had and gave all papers to the Board of Health. The Board of Selectmen has no control over the Board of Health. The Board of Health said it did not call for a Hearing. Town Counsel rendered an opinion that the Building Inspector can issue a building permit at 7 John Street. In the absence of an Assistant Inspector, the State Inspector issued that particular permit. This was an unbiased inspection. He will follow through on inspections. Mr. Metz was advised that he should address his complaint to the Board of Health.

Mr. Metz: My attorney requested a copy of the application and what Mr. Phaneuf (the owner) intended to do. A Hearing was scheduled last week.

Chairman Bartolini informed Mr. Metz that the Board will go along with the opinion of the Town Counsel (dated October 13, 1981). Building Permits are approved at a local level.

Selectman Cipriano stated that he looked at that structure. Does everything comply?

Mr. Metz stated that for the last six months he could not get an answer regarding that piece of property.

Selectman Cipriano asked Mr. Metz: What other concerns do you have?

Mr. Metz does not want an addition onto an existing shack that has no heat, no bathroom, no interior finishes, no bathtub, no shower, etc.

Selectman Cipriano: He is going to improve it.

Mr. Metz: We want to see what he is going to do with it.

At this time, Chairman Bartolini stated that the owner, Peter Phaneuf, was present in the room and perhaps this matter could be resolved face-to-face tonight, and end the problem of unanswered questions.

Peter Phaneuf said he planned to build a 12' x 12' addition onto the existing building, renovate inside, that Massachusetts Electric is servicing the house (16" service) and is served by Commonwealth Gas. The 12' x 18' house has a Tappan Gas Range, has town water and was built in 1948. It has been a residence since that time. The previous owner's lifestyle was his own business. There is no bathtub. Many towns have what they call "cold water flats". There is a toilet, sink connection to a well. This lot is one of the larger lots on John Street but has the smallest house. I am restricted by the 50% cost addition by-law and am prepared to live with that by-law. I want to improve this piece of property and make it livable. There is a need for small efficiency homes, moderate and low priced. It is a lovely spot on a very nice street. It would be nice for an individual or a couple. There is 96' frontage on Central Street and 41' frontage on John Street. It is C zoned. I had it surveyed this week, haven't received the results. There is about a quarter of an acre or maybe a third of an acre - between 10,000 and 13,000 square feet of land. I don't think I am doing anything outside the law. I have been extremely patient on this issue. I respect my abutters' rights. There is a cesspool. It has been approved by Peter Savello, Inspector for the Board of Health. All the houses on the street have cesspools. It is 9½ feet deep, 3 feet in diameter. Mr. Savello stated that it is an extremely clean cesspool. He did advise that a depression should be filled in to eliminate any seepage from leaking out.

Selectman Cipriano: Won't improving this property rectify the problems?

Mr. Metz: It does not conform.

Selectman Cipriano: Our Town Counsel says it conforms.

Chairman Bartolini: You say this property was abandoned. This property was not abandoned. This property was tied up in legal action.

Mr. Metz: We had hoped the building would have been ordered destroyed after the owner died. Rental property is a problem.

Selectman Cipriano: What would be the problem with it being a rental property?

Mr. Metz: I have no idea.

Chairman Bartolini: Your counsel should talk to our counsel and straighten out this matter.

Selectman Cipriano: This property is going to be improved. What is the problem?

Mr. Metz: Can you guarantee that Peter Phaneuf will remain the landlord?

Selectman Cipriano: Any owner has to conform with the Town's By-Laws.

Peter Phaneuf: None of us has any control over our neighbors or control over our environment. I intend to conform with the law and I will conform in the future with the by-law.

Selectman Cipriano: Everything is in legal compliance. You can monitor that the law is being complied with. It will increase the value of your property, Mr. Metz.

Mr. Metz: I doubt it!

Selectman Cipriano: I don't know what else you want this Board to do.

9:50 pm Meeting ended with Mr. Metz.

(The above meeting with Mr. Metz was transcribed from shorthand notes taken by M. R. Putnam.)

CORRESPONDENCE

Board noted 10/20/81 letter from Police Chief William D. Baker commending Sgt. William Colleary and Officer Richard Mattioli who apprehended and arrested two burglary suspects on October 19, 1981.

October 17 letter from Westborough Planning Board re a tour of Lyman School and the State Hospital on Friday, October 23, at 8:30 a.m. Selectman Cipriano proposed that perhaps Administrative Assistant Grossman could go and/or a member of the Industrial Development Commission.

October 20 memorandum from Office Manager Janice Conlin regarding Community Residence Bill H-6608. Selectman Cipriano asked if this matter can wait for Selectman McAuliffe to return in order to get his input. Administrative Assistant Grossman is to contact Representative Navin to find out how soon this matter has to be acted on.

Gypsy Moth Scoping Meeting announced by Massachusetts Department of Environmental Management. However Truesdale, Tree Warden and Insect Pest Control Superintendent will be attending the October 20 7:30 pm meeting.

Board noted October 8 letter from C. F. Mistretta, District Highway Engineer, Department of Public Works, Arlington (District #4 office) re Selectmen's 9/22/81 letter re speed zoning on Boston Rd. (Rt. 30). When the study is completed, the findings will be forwarded to the Board of Selectmen.

Oct. 9 letter from Henry Holmes, District Highway Engineer, DPW, Worcester, re Board's 9/25/81 letter requesting speed zoning on Oregon Road. When the study has been completed, the findings will be forwarded to the Board of Selectmen.

Oct. 15 letter from Hudson Board of Selectmen inviting the Selectmen and the Hazardous Waste Coordinator to a meeting on November 9 at 8 p.m. to discuss with surrounding communities the local impact of the identification and regulation of radioactive, organic and inorganic materials or wastes, and to establish a minimum requirement for a siting of any hazardous waste treatment facility.

October 8 letter from Department of Public Works, Boston, re State Aid Highways that the department must reduce its level of participation

with the Town with regard to (1) Department design including survey, of State Aid work (Force Account and Advertised Projects), (2) advertising, awarding, and constructing of State Aid projects, (3) in-depth association on Force Account work, and (4) providing materials control or inspection at isolated locations upon request.

9:58 p.m. VOTED: to adjourn the meeting.

Marjorie R. Putnam
Marjorie R. Putnam
Secretary

mrp

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, October 27, 1981

Hearing Room

7:30 p.m. Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie A. Putnam, Members of the press and interested citizens.

Treasury Warrants signed by the Board:

\$ 19,683.22	# 67	\$ 26,637.32	#69
\$ 173,000.00	# 68	\$ 102,249.29	#70

PERMITS GRANTED:

- (1) 30-day Temporary Trailer Permit renewed for Carlin Machine Company at 12 Southville Road.
- (2) Permission granted to Pilgrim Church to place 3 temporary signs at intersection of Rte. 85 and St. Mark's Street, the corner of Rte. 85 and Rte. 30 on St. Mark's property, and the intersection of Framingham Road and Rte. 30.

LICENSES:

Re: 344 Turnpike Rd. (near Coslin Drive), Exxon Co. U.S.A. Petroleum Products Storage License. Unanimous vote to amend this License which was issued on October 6, 1981. The revision incorporates permission granted October 8, 1948 to store aboveground 500 gallons of motor oil and alcohol.

SCHEDULED MEETINGS: No appointments scheduled

UNSCHEDULED MEETING:

7: 53 p.m. At this time Chairman Bartolini left the Hearing Room to
8:34 p.m. due to a discussion regarding problems Re 4 Foley Dr. property owned by John Bartolini, brother of Chairman Bartolini. Selectman McAuliffe took over the Chairmanship at this time.

Present were: Andrew Davis (5Foley Drive) et al abutters, Town Counsel Frederick A. Busconi, Building Inspector Edgar A. Phaneuf, Jr. and several interested citizens.

Chairman pro tem McAuliffe read October 20, 1981 opinion of Town Counsel Frederick A. Busconi that this lot (Lot 98 on Foley Drive) on which is situated a shed and a trailer, is not a non-conforming use. Two options were listed: either to enforce the

the Zoning By-Laws re trailers (Art. IV., Section 2 (h) or to instruct the Building Inspector to commence examination of this lot under Article 1, Section 123.0 of the State Building Code.

Chairman McAuliffe inquired of Mr. Davis as to whether or not the situation remains the same.

Chairman McAuliffe read 10/27/81 application from John Bartolini, 41 Deerfoot Road, Southborough, requesting a Temporary Office Trailer Permit at 4 Foley Drive for storage purposes. Selectman Cipriano said that this request is the same as the one received regarding 90 Turnpike /2 Woodland Road when he asked if the applicant was attempting to legalize an illegal action. This applicant is in nonconformance with our Zoning By-Law. Selectman Cipriano made a Motion that the Board deny request for a Temporary Office Trailer Permit. Selectman McAuliffe seconded this Motion and it was VOTED to deny said permit. Selectman Cipriano informed the Board that he asked the Town Counsel to be present at this meeting in order to answer all legal questions under General Laws Chapter 40A Zoning Regulations before the Board proceeds in a court of law with the enforcement of the Town's Zoning By-Law.

Town Counsel Busconi informed the Board that under the Town's Zoning By-Law Art. IV. Section 2 (h) now that the Trailer Permit has been denied by the Selectmen the applicant must apply to the Zoning Board of Appeals as to whether or not it will permit this use within that District. There is nothing in our By-Law as to how long a period he has to make application to the ZBA. The Board of Selectmen could give him a period of time to make application - say seven days after receiving his denial from the Selectmen - and if he does not move within that period of time, then the Town can enforce the Zoning By-Law. This all takes time. Regarding the shed, this is a different matter. It is a State Building Code action under the jurisdiction of the Building Inspector. There may be a violation. It is an accessory building. To accomplish the Board's goal, it would be speedier under the State Building Code Section 123.0 Unsafe Structures than it would under the Town's Zoning By-Law.

Selectman McAuliffe said that the Board has determined that the shed constitutes a public safety hazard and suggested that the Board instruct the Building Inspector to proceed immediately under Section 123.1 Inspection and to take whatever action is necessary to insure that this situation is corrected within the time frame that is specified under Section 123.1.

Selectman Cipriano read Section 123.1 Inspection. Selectman McAuliffe read Section 123.2.

Chairman McAuliffe stated he wants this situation corrected immediately as John Bartolini has had more than enough time to correct this situation, that if it is going to require to follow through with legal action, then Chairman McAuliffe is suggesting that the Board take whatever action to correct this situation immediately. Selectman Cipriano concurred with Chairman McAuliffe's suggestion.

(Foley Drive meeting continued)

Town Counsel informed the Board that Chapter 40A is a long drawn out procedure.

Selectman Cipriano said if the Building Inspector said that the building should be removed within a period of time and it was not removed, then the Board could back this in court any way. The Board would have more control and it would be a more efficient action to proceed with the removal of the structure under the State Building Code. Selectman Cipriano concurred that the Board should instruct the Building Inspector to investigate under the provisions of the Building Code.

The original intent of the By-Law was to give the applicant time to apply to the Zoning Board of Appeals. This trailer has been on this property for 10 or 15 or perhaps 20 years. If the Board proceeds with a suit under Chapter 40A without giving John Bartolini a reasonable amount of time, then that would present a reasonable defense. Because Mr. Bartolini presented to the Board tonight an application to store this trailer, and it has been turned down by the Selectmen, he has the right to petition the ZBA. There are two questions which must be answered regarding the trailer: is it a structure and is it unsafe?

Chairman McAuliffe asked the Building Inspector if the trailer was considered unsafe. Building Inspector Phaneuf stated that he was not qualified to state whether this trailer was unsafe.

Selectman Cipriano said that regarding the shed, the Building Inspector under the State Building Code, should make an investigation regarding the safety of the public and come back to the Board as soon as possible to determine what steps are necessary to conform with his findings; and regarding the trailer, that the Board follow the advice of Town Counsel to allow John Bartolini to apply to the ZBA. A notice should be sent to John Bartolini via Constable allowing him a reasonable period of time to make his appeal. If this is not done by Mr. Bartolini, then the Board can instruct Town Counsel to proceed with legal action.

Chairman McAuliffe said that the Building Inspector has already said that the shed was unsafe.

Town Counsel again stated that re the shed, a letter to John Bartolini should be written stating that he is in violation of the State Building Code. The Building Code is much more effective than the Town's Zoning By-Laws.

Town Counsel informed the Board that according to John Bartolini, he has asked for and has received a permit to remove this structure over the roads. If it is not removed from this lot, then the Board can invoke Section 123. Hopefully it will be removed tomorrow.

(Foley Drive Meeting Continued)

Selectman Cipriano said that the trailer is still an issue. Town Counsel said that the Town did nothing for a period of 15 or 20 years regarding this trailer. Town Counsel stated that the shed is an accessory use. On a lot of land you have a right to put a house. That shed is not a main structure. It is a zoning violation. It is a long procedure to remove it under the Zoning By-Law.

Selectman Cipriano made a Motion that the Building Inspector be instructed under Section 123 of the State Building Code to make notice to John Bartolini of his determination that the shed or structure on 4 Foley Drive is a public safety hazard and that notice be given via Constable with a return to the Inspector. Further, to advise John Bartolini regarding the trailer permit that it has been denied, that he has a seven day period to appeal to the Zoning Board of Appeals and if Mr. Bartolini does not pursue with the petitioning within seven days, or if a special permit is denied, that the Town will proceed with all necessary legal action to insure compliance with the Town's Zoning By-Law. Chairman McAuliffe seconded this Motion. VOTED by voice vote of Selectman Cipriano and Selectman McAuliffe.

8:34 p.m. This meeting ended.

8:35 p.m. Board took a brief recess to await the return of Chairman Bartolini to the Hearing Room.

8:37 p.m. Chairman Bartolini returned to the Hearing Room and resumed the Chair.

CORRESPONDENCE:

Board noted October 26, 1981 letter from Water Laborers' Union requesting a meeting to negotiate its Fiscal Year 1983 contract. Board directed a letter to be sent suggesting to meet any Monday or Wednesday nights, whichever they prefer.

Board noted Conservation Commission Hearing (Wetlands Protection Act) re Cemetery Commission's request to prepare a site between Cordaville and Middle Roads, for burial use and with regard to grading and relocation of a brook. Date: 11/5/81 at 7 pm. Selectman Cipriano plans to attend this Hearing.

Regarding Gypsy Moth Meeting Howard Truesdale (Insect Pest Control Superintendent) attended on October 20, 1981, the Town is not eligible for a grant for spraying as the Town has to have at least 50 or more continuous acres with egg masses equal or greater than 500 per acre. Southborough does not qualify.

Regarding the completion of Vietnam names to be inscribed on the War Memorial Monument, this will be done before November 11, Veterans Day.

Regarding a request from Building Inspector Phaneuf to have Wyndemere Drive opened as building is now going on, Selectman Cipriano (original proponant to have this road closed until housing construction was completed) requested that this road remain closed until the occupation of the houses. The closing of this road to date has resolved all the problems that has occurred previous to its closing.

As per recommendation from Police Chief William D. Baker, the Board unanimously VOTED to invoke the WINTER PARKING BAN as follows:

"There will not be any parking on any public way in the Town of Southborough from 12 midnight until 6:00 a.m.; and furthermore, there will not be any parking on any public way during any snow storm in the Town of Southborough. Vehicles parked will be towed at the owner's expense (according to the Town's By-Laws).

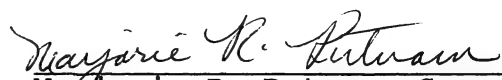
This ban will go into effect from November 1, 1981 through April 30, 1982."

Board again reviewed House Bill 6608. This Bill requires the State to reimburse the towns and cities a sum of money equal to loss of property tax revenues for those community residences which are nonprofit organizations and pay no property taxes. After discussing this matter, the Board unanimously VOTED to urge Senator Daniel Foley and Representative Joseph Navin to support the passage of this Bill and to return to this Bill language which would enable the adoption of local regulations which provide for control of community residences.

Board noted correspondence received October 26, 1981 from Dunstable Board of selectmen asking for support of "The Bottle Bill". Selectmen wished to review this further.

Board noted Public Hearing to be held October 29, 1981 at 12:30 p.m. by the Worcester County Commissioners to determine priority needs of anticipated County Revenue Sharing Allotments to be received for Entitlement Period 13 (October 1, 1981 through September 30, 1982).

8:43 p.m. VOTED to adjourn the meeting.


Marjorie R. Putnam, Secretary

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, November 3, 1981

7:30 p.m. Meeting convened in the Hearing Room. Present were:
Chairman Louis J. Bartolini, Selectman Thomas McAuliffe,
Selectman Aldo Cipriano, Administrative Assistant Jeffrey
Grossman, Secretary Marjorie Putnam, members of the press (Jean
Bigelow of The Southborough Villager, Lois Coit of the Worc. Tel. &
Gazette and David Reimels of the Middlesex News), and several in-
terested citizens.

Treasury Warrants signed by the Board:

\$ 96,337.17 #71	\$ 7,121.33 #73
\$457,000.00 #72	\$ 14,362.08 #74

PERMITS GRANTED:

- (1) Dougherty Site Plan postponed to November 10, 1981 at 8:30 p.m.
- (2) 3 Zoning Permits signed:
 - John C. & Janet R. Jones (Lot 33-55) 5 Bantry Road
 - John Bartolini (Lot 43-18E) 39 Parkerville Road
 - Eugene J. Mariani, Jr. (Lot #52-5A) 136 Main Street
- (3) 3 Temporary (30 day) Trailer Permits:
 - Hugh Dalzell, 90 Turnpike Road (renewal)*
 - Michael Gulbankian, 40 Mt. Vickery Rd. (renewal)
 - John Bartolini, Skylar Drive (Stonehenge Subdiv.) (new)

*Regarding Mr. Dalzell, the Selectmen questioned as to whether or not there were any problems with these trailers at this site. Building Inspector said there were no problems. Selectmen questioned as to whether or not Mr. Dalzell had applied for a ZBA Permit. Building Inspector said that Mr. Dalzell had not applied to date. For the record, Sel. Cipriano opposed this renewal as he opposed the original request.

- (4) Stop Sign Permits VOTED: To amend Article V, Section 10 of the Town's Traffic Rules and Regulations by installing permanent Stop Signs at the following intersections:

<u>Location</u>	<u>Isolated Stop Signs</u>
Richards Rd.	For eastbound traffic at Cordaville Rd.
Richards Rd.	For westbound traffic at Parkerville Rd.
Richards Rd.	For westbound traffic at Cordaville Rd.
Richards Rd.	For eastbound traffic at Woodland Rd.
White Bagley Rd.	For northbound traffic at Boston Rd.
Common Street	For westbound traffic at St. Mark's St.

To be forwarded to the State Dept. Public Works for its approval.

LICENSES APPROVED:

- (1) 1-day Special License granted to Southborough Organization for Schools c/o Janice Millholland, Activities Director, to sell wines and malt beverages at an auction at St. Anne's Hall, Boston Rd., Sat., Nov. 14, 1981 from 7:30 pm to 11 pm.
- (2) 1-day Auctioneer's License granted to Janice Millholland for SOS for Sat., Nov. 14, 1981, auction to be held at St. Anne's Hall, Boston Rd. Board voted to waive \$2 license fee.
- (3) Hold put on Amusement Device License of Ernest Richard, 3 East Main Street (barbershop) Board wants Mr. Richard to attend next week's meeting.

CONTRACT AWARDS:

Regional contract awarded to International Salt Co., Holliston, MA for Mined Salt Delivered at \$26.19/ton as per its bid dated Oct. 7, 1981.

Regional contract awarded to Eastern Minerals, Inc., Lowell, MA, for Alt. #1 Solar Salt Delivered and Alt. #2 Premixed Salt Delivered, both at \$26.50/ton as per bid dated Oct. 1, 1981.

APPOINTMENTS/RESIGNATIONS:

Unanimous vote: Police Chief William D. Baker, 242 Wood St., Box 31, Woodville, MA 01784, as Deputy Director of the Civil Defense and Chief of Police Services of the Civil Defense, term to expire May 1982. Mr. Baker is filling the unexpired term of Robert A. Goyette.

SCHEDULED MEETINGS:

7:39 pm At this time Chairman Bartolini turned the Chair over to Selectman McAuliffe in order that 4 Foley Drive problem could be acted upon. Ch. Bartolini left the Hearing Room. Town Counsel Frederick Busconi, Building Inspector Edgar Phaneuf, Jr., and Foley Drive abutters Andrew and Gayle Davis, et al were present.

Town Counsel informed the abutters that as a result of last Tuesday's meeting, notices were sent out on October 28 via Constable to John Bartolini and Leo Bartolini, owners of the property at 4 Foley Drive. In order for them to remove the trailer, they need a permit - application for which is before the Board tonight. The shed has been purchased by the George Cunninghams at 8 Foley Drive and a permit has been issued for the removal of the shed from Mr. Bartolini's property to the new owners at 8 Foley Drive. That is allowable under the Zoning By-Law of the Town of Southborough. The shed was made safe and the new owners are going to renovate it when it goes to their property which should be tomorrow, November 4, 1981. The Building Inspector has before him an application for a permit to put an

accessory building upon the new owner's premises at 8 Foley Drive. A plot plan was presented to the Building Inspector showing the location of the proposed location of the accessory building on the Cunningham's property. Sel. McAuliffe asked Town Counsel what legal steps could be taken to be sure that the shed was removed tomorrow. Town Counsel said he would have to have a determination by the Building Inspector that the shed in its present condition is unsafe, and then a zoning action could be started. Even if a zoning action is started within 24 hours, it will not be finished within 24 days. Sel. Cipriano commented that sometimes the filing of a legal document tends to move people much quicker in some cases. Sel. McAuliffe read Building Inspector's October 30, 1981 memo to the Board that he had inspected the structure at 4 Foley Drive on Oct. 30 and found that a reasonable attempt had been made to secure the structure, that a combination of cardboard and boards were used to cover all double-hung windows that had broken glass in them, a plank had been nailed across one doorway and a piece of plywood over the other, and the damaged gable end of the building was secured. Mr. Phaneuf believed the structure is safe until repairs and alterations are made to it. The abutters complained that this matter has dragged on for several years since they had brought it to the Board's attention. There did not seem to be any time limits imposed. They found it hard to believe that the trailer and the shed will be gone in a week and wanted to know what appeal a neighbor had. Town Counsel said under Chapter 40A, Section 10 or 11, an appeal can be made from a decision of a Building Inspector before the Zoning Board of Appeals. Under the Building Code, Section 123, second paragraph, there is another power. The Building Inspector can be ordered to go down to make another inspection and at that point in time, if the shed is unsafe, the Town can order the Building Inspector to have the building torn down. Building Inspector Phaneuf said that the first time he made an inspection he was allowed inside by John Bartolini. It was unsafe with a large hole in the floor and a safety hazard. The gable was pulled loose. John Bartolini has made a reasonable attempt to cover the windows and secure the building. Mr. Phaneuf said he cannot get in the building without forceable entrance. It is secure in its present state but would not be for a long period of time. However, the shed has been sold and the new owners want to make it a utility house in their own yard. John Bartolini and the Cunninghams are to be ordered to remove this shed from 4 Foley Drive within 24 hours of the receipt of the notification. Town Counsel Busconi said since the Board's letter to the Bartolini's on October 28, actions have been taken; the shed has been made safe. The new owner came into the Town House on October 30 and Town Counsel spoke to Mrs. Cunningham bringing her up to date on all the history of this shed and informed her of her responsibilities with regard to it. Town Counsel also told her that it must be moved immediately. Selectman McAuliffe asked the Davises if the children were playing around that building. They replied in the affirmative.

Re: Trailer at 4 Foley Drive. Selectman Cipriano stated that the Board has before them an application for a temporary trailer permit on Skylar Drive in the Stonehenge Subdivision of John Bartolini's which is bonded and covenanted. Sel. Cipriano made a Motion that the Board grant a 30 day Temporary Office Trailer Permit

for John Bartolini to remove the trailer now situated on 4 Foley Drive and place it on his property at Skylar Drive (Stonehenge Division) for a period of 30 days, this trailer being for a storage and construction office. Selectman McAuliffe seconded this Motion and the roll call vote was: Sel. McAuliffe: Aye; Sel. Cipriano: Aye. Motion carried.

#####

8:00 p.m. Sel. McAuliffe opened the Site Plan Hearing of Dougherty Tool Co., 148 Marlborough Road, requesting permission to add a second floor to be used as a storage room. Sel. McAuliffe announced that the Dougherty Tool Co. Site Plan Hearing will be reconvened when Ch. Bartolini returns to the Hearing Room. In the meantime the Foley Drive discussion will continue.

#####

Re: Shed at 4 Foley Drive. Selectman Cipriano then made a Motion that John Bartolini be informed and notified again by Constable that within 24 hours of the receipt of said notice if he does not remove that structure from 4 Foley Drive and remove it to another location, that the necessary official(s) will take steps to demolish the structure. Motion was seconded by Selectman McAuliffe and unanimously VOTED by Sel. McAuliffe and Sel. Cipriano.

#####

8:12 pm Chairman Louis J. Bartolini returned to the Hearing Room to and reconvened the Site Plan Hearing re Dougherty Tool Co.

8:33 pm Present for the company was William Dougherty. Mr.

Dougherty informed the Board that the work has already been done due to the fact that his company had a roof problem. To correct it he added a small addition on the second level and created a pit for the remainder of the roof area to carry off water. Dimension of the addition is 13' x 38'. It fixed the problem with the roof and gave Dougherty Tool a little extra space. Building Inspector Phaneuf inspected this addition. He talked to the Dougherty's engineer who said it was an emergency measure. He asked for the Town Counsel's opinion who said it was all right if Dougherty Tool applied for site plan approval after the repair. Several abutters were present and questioned the lot next to Dougherty Tool as to what they were planning to do there as it was bulldozed and cleared. Also the dust was terrible. William Dougherty said the lot belongs to the owner of Dougherty Tool, Mr. John Dougherty. That property had a building on it and the lot was overgrown. They cleared the lot as they considered it a hazard the way it was. Ch. Bartolini said the Dougherty Tool Co. building and property was a case of "spot zoning". An abutter questioned why just a leak in the roof justified the addition of a second level. The reply was that the leak in the roof had caused it to partially collapse. In the process of getting the pitch in the roof, they extended it out far enough from the second floor to square it off and thus increased the storage area

on the second floor. This was done over the weekend. This was a logical way to correct the problem. Building Inspector Phaneuf said it was a shed type roof vs. a flat roof. It is the same height as the existing building - about 90 feet. Mr. Dougherty said the emergency had to be handled quickly as in the room below was hydraulic electric equipment and if any water dripped on it, it could have "shorted out". He did not want to lose the machine. Due to the fact that Sel. Cipriano's firm had litigation dealings with Dougherty Tool in Hudson, he withdrew from further discussion on this site plan hearing. Selectman McAuliffe and Ch. Bartolini said they would like to inspect the building and property at Dougherty Tool Co. at 148 Marlborough Road and asked William Dougherty if he would have any objection to their entering the property. He said he would not mind at all. Therefore, Selectman McAuliffe made a Motion that approval of this site plan be postponed for one week which will allow time for Ch. Bartolini and Sel. McAuliffe to inspect the property and also to address the concerns stated at this meeting. Motion was seconded by Chairman Bartolini and VOTED by Sel. McAuliffe and Ch. Bartolini. Sel. Cipriano did not vote.

#####

CORRESPONDENCE NOTED:

November 3, 1981 letter from Southborough Water Department Laborers' Union re starting date to negotiate FY 1983 contract, that Monday, November 16, 1981, is convenient to meet with the Collective Bargaining Team. Ch. Bartolini and Sel. Cipriano will attend this meeting.

November 3, 1981 and attached petition signed by the residents of the Central Street neighborhood from Robert E. and Florence L. Gregory, 47 Central St., Fayville, asking the Board to take further action to enforce truck traffic limitation on Central Street. Letter to the Gregorays explaining that the DPW advised the Town that a detailed and costly engineering and traffic study must be undertaken first. The Selectmen will propose a Warrant Article at the 1982 Annual Town Meeting to fund appropriate engineering projects which will include Central Street.

Nov. 3 letter from Gulbankian Bus Lines, 40 Mt. Vickery Rd., Southborough, thanking the Board for helping him to obtain his Southborough to Boston Commuter Run License from the Department of Public Utilities.

Oct. 7 letter from Wor. Co. Commissioners offering engineering services for all types of highway projects at no cost to the community. County Engineer John C. O'Toole should be contacted.

9:08 pm VOTED: to adjourn the meeting.

Marjorie R. Putnam
Marjorie R. Putnam, Secretary

MINUTES OF MEETING
BOARD OF SELECTMEN
TUESDAY, NOVEMBER 10, 1981

7:39 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Aldo A. Cipriano, Selectman Thomas W. McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie R. Putnam, members of the press and interested citizens.

Treasury Warrants signed by the Board:

\$ 79.20	#11 Revenue Sharing	\$ 28,207.12	#76
\$ 23,099.95	#75	\$ 119,288.76	#77

PERMITS GRANTED/DISAPPROVED:

1. Site Plan Permit granted to Dougherty Tool Company. (See 8:30 pm appointment for further details.)
2. Site Plan Permit denied to Gene Bauman for 15 Crestview Drive. (See 8:00 pm appointment for further details.)
3. Temporary Office Trailer Permit renewed for Vahan Sarkisian at Ledge Hill Road.

LICENSES APPROVED/DISAPPROVED:

1. Three Automatic Amusement Device Licenses were unanimously VOTED to be taken under advisement, as follows:
 - a. Southville Market, 90 Southville Road.
 - b. Lugia's Sub Shop, 220 Turnpike Road.
 - c. Ernest Richard Barber Shop, 3 East Main Street.

Selectman McAuliffe stated that he made the motion to take these under advisement as these requests are increasing in a great amount and he wants to review his position.

2. Board noted November 5, 1981 approval of Alcoholic Beverages Control Commission re Rt. 9 Beer & Wine Inc., Franklin Spinner, Manager, Package Goods Store/Wine and Malt Beverages License. Selectmen signed License.

APPOINTMENTS/RESIGNATIONS:

Resignation: Board noted resignation of Edward Maguire from the Southborough Youth Commission effective Nov. 3, 1981.

Appointment: Board unanimously VOTED: to appoint John F. Sherry, 4 Cross Street, as a member of the Youth Commission to fill the vacancy caused by the resignation of Edward Maguire. Mr. Sherry's term will expire in May 1983.

SCHEDULED MEETINGS:

7:45 p.m. Meeting with ERNEST RICHARD asking for Automatic to Amusement Device License for his barbershop at

8:00 p.m. 3 East Main Street. Mr. Richard said a video game machine would help his business as it would keep people busy while waiting for a haircut. Kids like these games. Selectman Cipriano asked the proximity of the nearest machine of this type. The News Shop just down the street has one, replied Mr. Richard. Selectman McAuliffe made a Motion that the request for an Automatic Amusement Device License for Ernest Richard of 3 East Main Street, be taken under advisement. Selectman Cipriano seconded this motion, and it was unanimously VOTED as in the Motion.

Since there were two other applications for Automatic Amusement Device Licenses before the Selectmen, one for Lugia's Sub Shop (220 Turnpike Road) and Southville Market (90 Southville Road) the Selectmen unanimously VOTED to take all these requests under advisement. Mrs. Bennett of Lugia's was present and stated (before the Board's vote) that she wanted a video machine to entertain the adult customers in her sub shop while they were waiting for their orders.

8:03 p.m. Site Plan Hearing on request of Gene Bauman (of Red to Gold of Boston) to operate a small in-home business

8:23 p.m. (credit card soliciation agency) on property located at 15 Crestview Drive. Present were: Mr. and

Mrs. Bauman, their realtor (Dallamora, Inc.), several abutters from Crestview Drive and Partridge Hill Road. Selectman Cipriano first asked Mr. Bauman if Allan Glick owned this property. Mr. Bauman replied in the affirmative. Mr. Bauman gave a brief presentation as to the nature of his business. Large companies hire him to open charge accounts for them. Gulf Oil Corporation has hired them to campaign regionally and then nationally. He operates under signed agreements. He is incorporated in Massachusetts. He is listed in Dun & Bradstreet and gave as a financial reference the First National Bank of Boston. His employees consist of his wife Marcia, himself, his live-in secretary and one full time secretary. His live-in secretary doubles as a "baby" sitter for the Bauman's 7 year old daughter. This type of business does not generate much traffic other than the mailman. His part time girl will be coming back and forth about four times a week. His normal hours will be from about 10-4 five days a week. Selectman Cipriano asked if he would purchase the home anyway whether or not the Site Plan was approved. Mr. Bauman said he would still buy the house. The purchase and sale agreement is not conditional upon approval of this site plan. The abutters questioned as to whether site plan approval goes with the property or the individual and can it be transferred. Selectmen replied that it goes with the individual only and cannot be transferred. A new site plan approval would be needed for a new individual.

(Site Plan Hearing -Gene Bauman Continued)

Selectman McAuliffe made a Motion that this request be denied on the grounds that the applicant does not meet the requirement of the Zoning By-Law as he is not a resident of the Town of Southborough. Motion was seconded.

Selectman Cipriano asked that "withdrawn without prejudice" replace the word "denied".

The realtor asked if the Board would render an opinion as to when Mr. Bauman becomes a resident of the Town, would the Board then consider approving the site plan. The Board did not render an opinion.

Mr. Bauman when questioned answered that of course, he purchased this house with this business in mind. He was trying tonight to comply with the rules of the town regarding home businesses.

Selectman Cipriano stated that this applicant should have an opportunity to withdraw without prejudice and resubmit his application when he becomes a resident of the Town of Southborough. Then the Board can then hear it again on its own merit.

At this time Noreen P. McSherry of 14 Partridge Hill Road read and presented to the Selectmen a letter dated November 10, 1981, signed by twelve abutters, opposing Mr. Bauman's proposed in-house business at 15 Crestview Drive. She maintained that in-house businesses create more traffic, that everyone on the street could have in-house businesses in their home, but that this is a very exclusive neighborhood with high priced homes and they want it to stay that way, in its original strictly-residential state.

The Board unanimously VOTED: to deny site plan approval to Gene Bauman of Framingham as he does not meet the requirements of the Zoning By-Laws of the Town as he is not a resident of the Town of Southborough.

8:30 p.m. Site Plan Hearing of Dougherty Tool Company, 148 Marlboro Rd. was reconvened from 11/3/81. Selectman McAuliffe announced that he had inspected the site and is in full agreement that the emergency steps which were required and approved by the Building Inspector and Town Counsel were in order and moved that the Site Plan be approved as submitted November 3, 1981. Chairman Bartolini seconded the Motion. Selectman Cipriano withdrew from acting on this Motion due to a conflict of interest. Motion carried.

8:40 p.m. Lorraine Keller of the Industrial Development Commission gave a report on a Hazardous Waste Siting meeting at the Hudson Selectmen's office. She presented to the Board a sample of a By-Law regarding Hazardous materials/hazardous waste placed in its Town Warrant. Quite a few towns attended the meeting to see what could be done to prevent siting in this area.

Administrative Assistant Grossman explained what Southborough's Hazardous Waste Task Force is doing and its future plans. The Fire Department is preparing a plan for emergency disasters regarding hazardous materials/hazardous waste. Mr. Grossman is pursuing a grant with Clark University. Mrs. Keller said the meeting originally started off regarding preventing siting in the area but came to the conclusion that the biggest problem was public awareness and properly educating the public regarding hazardous materials/waste. Ashland has the most severe problems.

BOARD NOTED CORRESPONDENCE:

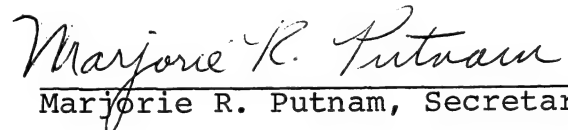
November 10, 1981 letter from Recycling Committee with suggestions as to how recycling could be improved and asked for support from the Selectmen.

November 9, 1981 letter from Joseph F. Prior, Jr. commending the Southborough Fire Department for their prompt, precise service in getting him to the Framingham Union Hospital on October 29, 1981 and personally thanked firefighters Killam, Dockstader, Foley and Brock and considers them well trained in emergency medical treatment.

NEW BUSINESS:

Selectman McAuliffe made a Motion that this year's Town Report be dedicated to the memory of William J. Colleary, Sr. Selectman Cipriano seconded the Motion and it was unanimously VOTED by the Board.

8:57 p.m. VOTED: to adjourn the meeting.


Marjorie R. Putnam, Secretary

mrp/mfm

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, November 17, 1981

7:30 p.m. Meeting convened in the Hearing Room: Present were Chairman Louis J. Bartolini, Sel. Thomas W. McAuliffe, Sel Aldo A. Cipriano, Admin. Ass't Jeffrey Grossman, Secretary Marjorie Putnam and members of the press.

Treasury Warrants signed by the Board:

\$ 1,753.07 Revenue Sh. #12	\$1,328,256.51 #79
\$ 272.72 " " #13	\$ 37,292.30 #80
\$ 97,710.22 #78	\$ 53,702.03 #81

Permits Granted/Disapproved:

1. Site Plan Permit extended for one year for Deborah Pearse and Kenneth Giles d/b/a D-K Associates re office building to be constructed at 200 Turnpike Road. Permit to expire 12/16/82. (per request in letter dated 11/11/81)

2. Site Plan Permit granted to Almac Moving & Storage, Inc. for 39-41 Turnpike Road. (for further details see 8:00 pm appointment)

3. Site Plan Permit granted to Maxine Craft and Laverna M. Merritt d/b/a American Country Antiques, 19 Oak Hill Road, Fayville. (for further details see 8:30 pm appointment)

4. Temporary office trailer permit renewed for Exxon Station at 344 Turnpike Road.

Scheduled Meetings:

8:00 p.m. Site Plan Hearing on application of Almac Moving & Storage, Inc. to renovate an existing 2-story, 8-room house

8:12 p.m. into office space at 39-41 Turnpike Road (Assessors' Map #39, Lot #18). Present for Almac were: Francis Dunbar, Oliver Wilson, V.P., their engineers MacCarthy & Sullivan of Natick; for the Town: David Scattergood (Planning Board) and Building Inspector Edgar A. Phaneuf, Jr.. MacCarthy & Sullivan explained briefly what Almac is proposing to do to this property. Basically, Almac is going to locate its Accounting/Bookkeeping Department in this house. They are not planning on changing the outside of the house, just renovate the inside. There will be one large open office area on the first floor @ 13.8' x 37'. On the second floor there will be a large open office area and 2 smaller rooms. Almac also needs more parking area. This will relieve the parking congestion by adding 22 more parking spaces. They plan to have 8 people working in this house. There will be a flood light on each back corner of the building pointing into the parking lot. As far as they can judge, no residents will be affected by this lighting. Building Inspector said that this plan is acceptable to him. There is adequate room for parking. There should be no problem if

they follow the site plan. October 28, letter from Board of Health approved this renovation. Planning Board approved the site plan. October 26 letter from abutter George Flynn opposed any construction or reconstruction on this property as he is currently having a problem with cars and 18-wheel rigs parking on his lot without permission. Mr. Wilson said Almac plans to pave this new parking lot and that the 22 new parking spaces should alleviate problem Mr. Flynn is now having. (Mr. Flynn arrived at 8:18 pm after site plan meeting had adjourned.) Mr. Wilson said he would not mind any restriction in the Board's vote. Therefore, Selectman McAuliffe made a Motion that the Board approve the Site Plan as submitted by Almac with the condition that the parking area be paved and lined. Sel. Cipriano seconded the Motion and it was unanimously VOTED.

8:32 p.m. Site Plan Hearing on application of Maxine Craft and Laverna to M. Merritt, requesting permission for an in-home antique shop d/b/a American Country Antiques at 19 Oak Hill Road, Fayville (Assessors' Map 38, Lot 3). They propose to run this business in a 10' x 14' shed area attached to the house and adjoining one-half of two-car garage, each with a separate entrance. Proposed hours are daily 10 a.m. to 5 p.m. Regarding parking facilities, there is an existing driveway @ 47' x 15' (near garage) and 10' wide at the street. There is 10' x 15' grassing area to accommodate extra parking and turning around. One sign @ 2' x 1' will hang from the mailbox post, white with black lettering. Ms. Craft said this is their home and it will be their prime concern. There will be no display of merchandise outside. Ms. Craft has had eight years in this business and mainly sells to antique dealers. It will not be retail business but more of a wholesale business. Employed will be only herself and Ms. Merritt both of whom live on the premises. No outside employees will be hired. All boards approved the site plan and there were no objections from abutters. Sel. McAuliffe made a Motion that the Board approve the site plan as presented tonight. Sel. Cipriano seconded the motion and it was unanimously VOTED.

8:42 p.m. (scheduled for 9 p.m. but moved up) Meeting with Town Moderator Joseph McManus. Mr. McManus explained his letter of 11/4/81 in which he stated that it had recently come to his attention that the recent appointment of Town Treasurer/Collector was not in compliance with Section 11 of Art. IV of the Town By-Laws. He stated that it was perhaps done unwittingly. Ch. Bartolini turned this matter over to Town Counsel Frederick A. Busconi who read his opinion dated November 17, 1981. Mr. Busconi's opinion is that Section 11, Art. IV of the Town By-Laws addressed itself toward the selection process which took place in 1976 (when the two offices were combined) and not to each subsequent appointment. Town Counsel said that the key words in his opinion are "In 1976,....combined position of Treasurer/Collector.." A new position was formed. Then you are governed by Mass. General Laws regarding the appointment of a Treasurer/Collector which is by the Board of Selectmen.

Moderator McManus said that the By-Law does not specify that it is the initial time and that it is no longer relevant to nominate a committee each time. The By-Law is not written as interpreted by Town Counsel, according to Mr. McManus' opinion. The By-Law should be amended by Town Meeting to make its meaning clear. Mr. McManus inquired as to the difference in Town Counsel's opinion rendered re Article IV, Section 7, and his opinion on Article IV, Section 11.

Town Counsel said he stated that Article IV, Section 7 was restrictive and did not want to argue that issue at this time.

A copy of Town Counsel's November 17, 1981 opinion was given to Mr. McManus. The Selectmen stated they had no objections to having this By-Law amended at the Annual Town Meeting to clarify the intention.

Town Counsel stated that there is no law ever written which would or could be interpreted in the same way by everyone. That is what lawyers do constantly, and then the judges, interpret the laws.

CORRESPONDENCE noted by Board:

Selectmen signed State DPW, Boston, Memo re State Aid Highways entitling Southborough to reimbursement under Chapter 90 in the amount of \$44,494 for Force Account.

November 10 letter from Harvard Medical School, Animal Resources Center re the furnishing of pound dogs to the Center following their mandatory 10-day holding period, offering to talk to anyone who might have objections to this practice.

November 13 letter from Russell Millholland, Chairman, of the I.D.C. expressing opinion of the IDC that the Board of Selectmen approve Gene Bauman's request to operate a small in-home business at 15 Crestview Drive as long as he operates within the guidelines of the Zoning Regulations.

Conservation Commission to hold a public hearing on 11/19/81 at 7 p.m. to consider the intent of Westbrook Realty Trust, A. J. Lane, Trustee, to construct an office building at 225 Turnpike Rd. (corner of Parkerville Road north) which is within 100 ft. of a wetland.

Report from Tree Warden, Insect Pest Control Supt. Howard Truesdale re gypsy moth prospects for 1982. He does not see the necessity of any town-wide aerial spraying but will attempt to take care of the trouble spots with ground equipment.

Public Hearing to be held by ZBA on November 30 at 7:30, Robert and Joanne T. Perkins of 75 Flagg Rd. wanting special permit to install an accessory apartment at 75 Flagg Rd.

Sudbury Reservoir Meeting, December 1, 1981 at 8:00 p.m. in Concord re environmental impact study for the proposed Sudbury Reservoir Water Treatment Plant. ACTION: Notify Conservation Commission and Donna McDaniel.

November 10 letter from the Barletta Co. of Roslindale, MA inviting the Board to an information meeting re House Bill 7242 (Transportation Bond Legislation) at the Lincoln Sheraton on Fri., Nov. 20 at 9 p.m. John Boland, Southborough Highway Supt. will be attending this meeting.

9:06 VOTED: to adjourn the meeting.

Marjorie R. Putnam
Marjorie R. Putnam, Secretary/j

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, November 24, 1981

Hearing Room

7:30 p.m. Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, Jean Bigelow (Villager Newspaper) Denson Satterfield and Lorraine Keller.

JURORS DRAWN:

7:48 p.m. Town Clerk Paul J. Berry asked the Selectmen to draw 3 jurors for the Worcester Superior Court (to attend all sessions). Drawn were: (1) Gerald S. Marum, 32 Boston Road; (2) Walter M. Foster, Jr., 162 Marlborough Road; and (3) William M. Smith, 197 Middle Road.

Mr. Berry asked Selectmen to draw a juror for January 4, 1982 as Grand Juror at Worcester Superior Court, to attend Criminal Sessions. Drawn was: Charles E. Buzzell, 51 School Street.

Treasury Warrants signed by the Board:

\$ 104.50	Revenue Sharing #14	\$ 451,000.00	#83	\$29,170.48	#85
\$ 20,289.76	#82	\$ 26,727.21	#84		

PERMIT GRANTED:

Zoning Permit granted to Pagin Corporation, Dennis Paul, President, to build a single family residence on 42 Edgewood Road (Lot 16-7D)

RESIGNATION:

November 19, 1981 letter from Delia Mulvaney resigning from the Southborough Conservation Commission effective immediately.

SCHEDULED MEETINGS:

8:00 p.m. Meeting with Southborough School Committee regarding concerns relative to legal counsel. Present for the School Committee were : Chairman John G. Martin, Vice Chairman Joseph B. Gill, and members William A. Linnell, Judith O. Badavas, Norman M. Clement, and Assistant Superintendent of Schools William Murphy. Also present : Town Counsel Frederick A. Busconi.

School Committee asked to go into Executive Session under the Open Meeting Law, Chapter 39, Section 23B, subsection 3 or 7 to discuss a legal issue. Selectman Cipriano made a Motion that the Board of Selectmen and the School Committee go into Executive Session under the provisions of Chapter 39, Section 23B, Subsection 3 or 7 (Open Meeting Law) for the purpose of discussing the legal issue as to the use of counsel by the School Committee. The meeting will be reconvened into an open meeting at the end of the Executive Session. Selectman McAuliffe seconded the motion, and it was unanimously VOTED as stated in the motion.

8:12 pm Executive Session began. At 9:20 p.m. the School Committee left the Hearing Room to caucus.

9:45 pm Executive Session adjourned.

The following Minutes were taken by Administrative Assistant Grossman:

Executive Session began at 8:12 p.m. Present were the members of the Southborough School Committee, Assistant Superintendent of Schools Dr. Murphy, Town Counsel Frederick A. Busconi, Administrative assistant Grossman and the three Selectmen.

School Committee left the Executive Session at 9:20 pm. They returned at 9:35 pm.

Executive Session was adjourned at 9:45 pm. It was VOTED to return to public session at 9:45 pm.

Selectman McAuliffe made the Motion, seconded by Selectman Cipriano, Unanimous voice vote.

CORRESPONDENCE NOTED BY THE BOARD:


November 24, 1981 memo from Norma Thompson to Board re Deferred Compensation Bids opened 11/16/81. Bids were taken under advisement by the Treasurer/Collector.


UNSCHEDULED MEETING:

Mr. Helmer Metz, 9 John Street, wished to discuss some matters with the Selectmen. He did not have an appointment. He stated that a double standard exists with the Building and Health Departments, that Mr. Metz was told that no building permits would be issued for the property at 7 John Street because the sewage disposal system was not adequate. He was told this by Nicholas Aginella. Selectman Cipriano asked Mr. Metz if he had litigation pending with the Town on this matter. Mr. Metz answered in the affirmative. Selectman Cipriano stated that the Board of Selectmen cannot discuss the issue as it is under pending litigation. Mr. Metz then read the November 5th and 17th letters in full, from the Administrative Assistant regarding his violation at 9 John Street.

Mr. Metz inquired as to why the first letter stated that the greenhouse was possibly violative of the zoning by-law and definitely violative of the State Building Code. However, in the November 17th letter he was told that the greenhouse was definitely violative of both the zoning by-law and the building code. Town Counsel responded that as of the date of the first letter it had not been determined whether or not the structure was violative of the zoning by-law. By the date of the second letter it was determined that the greenhouse was located five feet from the property line and therefore violative of the zoning by-law. Mr. Metz stated that the greenhouse is simply a temporary structure which is taken down each year. Town Counsel responded that even a temporary structure requires a building permit. Mr. Metz stated that the Board of Selectmen are applying the zoning by-law selectively, only citing certain individuals for violations. The Board of Selectmen emphatically denied that allegation. Mr. Metz said that he had nothing further to say.

9:58 p.m. Meeting adjourned


Marjorie Putnam, Secretary


Jeffrey Grossman, Admin. Ass't.

mfm

MINUTES OF MEETING
BOARD OF SELECTMEN

TUESDAY, December 1, 1981

Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, and members of the press.

TREASURY WARRANTS signed by the Board:

\$ 66,00	Rev. Sharing	\$100,000.00	#87	\$7,612.13	#89
\$95,149.75	#86	\$ 6,212.30	#88		

7:30 p.m. Meeting convened. Selectman McAuliffe made a Motion, seconded by Selectman Cipriano to approve 1982 alcoholic beverage license renewals and 1982 common victualler license renewals. VOTED: by unanimous voice vote. Chairman Bartolini did not vote nor sign the licenses for White's Corner Restaurant due to a family interest. Selectman McAuliffe made a Motion to approve the Class I and II automobile dealer licenses for 1982. Selectman Cipriano did not vote on the license for Ted's of Fayville due to a family interest. Therefore Chairman Bartolini seconded the Motion. It was voted by Chairman Bartolini and Selectman Cipriano abstaining. Selectmen then signed the licenses for 1982 as follows:

Club - All Alcoholic

Fayville Athletic Assoc., Inc., Austin M. Maguire, Manager

Druggist - All Alcoholic

C. Charles Margaritis, Reg. Pharmacist d/b/a Southboro Drug

Retail Package Goods Stores - Wine and Malt Beverages

Rt. 9 Beer & Wine, Inc. Franklin H. Spinner, Manager

Jeffrey G. Anderson, } d/b/a Southville Market and

Anthony J. Folino, Jr. } Package Store

David T. Corbett }

Capasso Farms, Inc., Elizabeth Ann Sherry, Manager

Joseph F. Prior, Jr. & Roger K. Poole Jr. d/b/a Fitzgerald's Wine
Cellar

Retail Package Goods Stores - All Alcoholic

Bill's Package Store, Inc. William J. Fletcher, Manager

William Mauro d/b/a Mauro's Market

Turnpike Food & Liquor Mart., Inc. Stanley Kerbel, Manager

Licenses for 1982 continued:

Restaurants - All Alcoholic

White's Corner Restaurant, Inc. Frank J. Rossi, Sr., Mgr.

(Note: Louis J. Bartolini did not sign this license)

Giombetti & Francis, Inc. d/b/a Andrea Restaurant, George P.

Francis, Jr., Manager

Marnok, Inc. d/b/a Hong Chow, Jake Lung Soo Hoo, Mgr.

Andrew Gong d/b/a Kahili Restaurant.

Mitchell J. Sthika, Jr. d/b/a Muley's Food & Spirits.

Harpster & Sons, Inc. Phyllis S. Harpster, Mgr. d/b/a
Bullwinkle's.

1982 Auto Dealer Licenses

Class I Licenses:

Ingersoll-Rand Equipment Corp. 300 Turnpike Road

Williams Trailer Sales, Inc. 21 Turnpike Road, Fayville

Farrell Motors, Inc. d/b/a Farrell Volvo 78 Turnpike Rd.

c/o Robert P. Farrell, President.

Class II Licenses:

Ted's of Fayville, Inc. 5 Park Street.

(Note: Aldo Cipriano did not sign this license)

Charles Grant Ellis, Jr. d/b/a Ellis Imports 12 Newton St.

Wayne G. Clews d/b/a C&C Auto Sales, 77 School Street
(with restrictions)

Hugh M. Dalzell d/b/a Country Motors, 90 Turnpike Road/
2 Woodland Road/Fayville.

1982 Common Victualler's Licenses:

William Mauro d/b/a MAURO'S MARKET, 4 Main Street.

BILL'S PACKAGE STORE, INC. William J. Fletcher, Manager

7 Turnpike Road, Fayville.

TURNPIKE FOOD & LIQUOR MART, INC., Stanley Kerbel, Manager

65 Turnpike Road, Fayville.

WHITE'S CORNER RESTAURANT, INC., Frank Rossi Sr., Manager

(L.J.B. did not sign this) 154 Turnpike Road.

Giombetti & Francis, Inc. d/b/a ANDREA RESTAURANT, George P.
Francis Jr., Manager, 241 Turnpike Road.

Andrew Gong d/b/a KAHILI RESTAURANT, 106 Southville Road.

Richard Gentile d/b/a BEN'S DELI, 7 Turnpike Road, Fayville.

Joseph Bennett d/b/a LUGIA'S SUB SHOP, 220 Turnpike Road.

Robert J. & Maureen Haley d/b/a MAUREEN'S, 104 Newton Street.

Angelo Baltas d/b/a SOUTHBOROUGH HOUSE OF PIZZA, 1 E. Main St.

Richard Curran d/b/a SOUTHBOROUGH NEWS SHOP, 2 Main Street.

Marnok, Inc. d/b/a HONG CHOW, Jake Lung Soo Hoo, Manager
77 Turnpike Road, Fayville.

Mitchell J. Sthika, Jr., d/b/a MULEY'S FOOD AND SPIRITS,
1 Southville Road.

Joseph F. Prior, Jr. d/b/a FITZGERALD'S GENERAL STORE, 110 Southville Road,
Harpster & Sons, Inc. d/b/a BULLWINKLE'S, Phyllis S. Harpster, Manager
44-50 Turnpike Road, Fayville.
Jeffrey Anderson, Anthony J. Folino, Jr. and David T. Corbett d/b/a
SOUTHVILLE MARKET and PACKAGE STORE, 90 Southville Road.

Selectmen unanimously VOTED to approve both 30-day temporary storage trailer permits for Hugh M. Dalzell for 90 Turnpike Road/ 2 Woodland Road, Fayville.

Selectmen read the mail. Regarding the State not being able to paint lines on the street, Chairman Bartolini stated that Mr. O'Toole of the Worcester County Highway is available to the Town of Southborough in the event that Highway Superintendent Boland needs assistance for painting lines on the streets. Letter referred to was 11/20/81 letter from Boston DPW, Commissioner Sandino J. Tersigni.

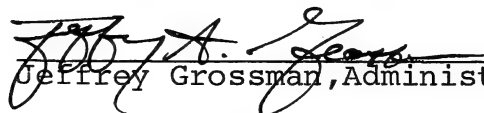
8:00 p.m. Hearing was held on the petition of New England Telephone and Massachusetts Electric Company, for one pole on Bigelow Road (at a point which is approximately 283 feet westerly of Ward Road.) New England Telephone had telephoned Chairman Bartolini and stated that due to inclement weather, they were not able to attend tonight's meeting. They explained the purpose of the pole hearing to Chairman Bartolini. Chairman Bartolini read their request. As there were no abutters present, Selectman McAuliffe made a Motion that the request of New England Telephone and Massachusetts Electric for 1 pole on Bigelow Road be approved. Selectman Cipriano seconded the Motion and unanimously approved by a unanimous voice vote.

Selectman Cipriano requested that the persons who requested the video games, and whose request were subsequently put under advisement, be called in to attend next week's Selectmen's meeting.

Chairman Bartolini brought up that a few residents of Southborough had requested that the Town of Southborough send a letter to the Westborough Dog Officer informing him that if any Southborough dogs are found in Westborough, if they would please notify Southborough Dog Officer and we will take prompt action. Administrative Assistant Grossman was directed to write this letter.

Mr. Robert Hoss from the audience brought up that he was under the impression that there may be a violation of the Zoning By-Law in that he believes that Williams Trailer was not allowed to sell motorized vehicles. The Selectmen stated that they felt that the ZBA ruling was amended. However, they would check into it and get back to Mr. Hoss.

8:27 p.m. VOTED: to adjourn the meeting.


Jeffrey Grossman, Administrative Assistant

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, December 8, 1981

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, members of the press.

Treasury Warrants signed by the Board:

\$ 494.75	#16	Revenue Sharing	\$ 62,868.35	#92
\$ 39,647.41	#90		\$ 41,472.53	#93
\$404,000.00	#91			

PERMITS GRANTED:

Road opening permit approved for New England Telephone, for December 10, 1981, at #78 Marlborough Road. (Pole #50).

LICENSES APPROVED:

1. Selectmen signed Class I Automobile Dealer's Licenses for: Davco Inc., 61 Break Neck Hill Road and for Petry Equipment Inc. 30 Southville Road.
2. Selectmen signed three Automatic Amusement Device Licenses: for Lugia's Sub Shop, Ernie's Barber Shop and Southville Market & Package Store (see 8 p.m. appointment for further details).
3. Board VOTED to grant a 2:00 a.m. closing for the coming New Year's Eve for all-alcoholic beverages pouring licenses.

APPOINTMENTS:

Upon recommendation of Police Chief William D. Baker, Board unanimously VOTED to appoint Honorary Police Chaplains and Special Police Officers, their term to expire May 1982, the following clergy: Michael Feicht, First Community Church, 135 Southville Rd; Craig Reynolds, Pilgrim Congregational Church, Common Street; John Paul Fontaine, St. Anne's Church, 20 Boston Road; Harry Eugene Goll and Elizabeth Lameyer, St. Mark's Episcopal Church, 27 Main Street; and Raymond Anger, St. Matthew's Church, 105 Southville Road.

SCHEDULED MEETINGS:

8:10 p.m. Board held a meeting on three applications for
to Automatic Amusement Device Licenses. Applicants

8:21 p.m. present were: Ernest Richard of Ernie's Barber
Shop, Main Street; Patricia Bennett for Lugia's
Sub Shop, 220 Turnpike Road; and Jeffrey Anderson

for Southville Market and Package Store, Southville Road.

Board asked if the applicants had anything further to state
regarding their request for this license. Mr. Anderson

said he had nothing further to say, that he had already
stated his reasons for this license. Mrs. Bennett stated
that she wanted her customers to be entertained while waiting.

Her sub shop is open 6 days a week from 5 a.m. to 6 p.m.

Ninety-five per cent of her customers are adults. Mr. Richard
stated that he felt this video game would enhance his
business and amuse his customers, especially the students
from St. Mark's School, while awaiting their haircuts.

Selectman McAuliffe made a Motion to approve all three licenses
for Ernest Richard, Patricia Bennett and Jeffrey Anderson.

No one seconded this Motion. Selectman Aldo Cipriano requested
that Selectmen vote on Amusement Device Licenses individually.
Therefore Selectman McAuliffe withdrew his motion.

Selectman McAuliffe then made a Motion that an Amusement
Device License be granted to Ernest Richard. Selectman
Cipriano seconded the Motion. Discussion: Selectman Cipriano
believes that a game machine placed in Ernie's barber shop
would create a potential impact on the public safety as
increased traffic in this area would create a safety hazard
for pedestrians, and he will Vote to deny this particular
license. VOTED: Chairman Bartolini=For

Selectman McAuliffe=For

Selectman Cipriano=Against

Motion carried.

Selectman McAuliffe made a Motion that an Automatic Amusement
Device License be granted to Patricia Bennett for Lugia's
Sub Shop. Selectman Cipriano seconded the Motion. Discussion:
Selectman Cipriano reviewed this location and found it to be in
an open area^{and} that this establishment does cater to older
individuals. There is little potential for traffic hazard
and will Vote to grant this license.

VOTED: Unanimous voice vote.

Selectman McAuliffe made a Motion that an Automatic Amusement
Device License be granted to Jeffrey Anderson d/b/a Southville
Market and Package Store. Selectman Cipriano seconded the
Motion. Discussion: Selectman Cipriano stated that this business
has been disruptive to the neighborhood and has caused concerns
to the neighborhood and he will vote to deny this particular
license. Chairman Bartolini replied that the new owner has
improved the area and has resolved neighborhood concerns.

VOTED: Chairman Bartolini=For

Selectman McAuliffe= For

Selectman Cipriano=Against

Motion Carried.

Selectmen instructed Administrative Assistant Grossman to contact Paul Brefka, Chairman of the Fire Station Committee (to sell the old fire station at 5 Main Street) as the Board would like to know the status of the bids received and opened on 9/15/81.

CORRESPONDENCE:

Selectmen signed letter, along with Jeffrey Grossman (Hazardous Waste Coordinator) requesting the State Division of Water Pollution Control as soon as possible to test the water in the brook in front of Neary School, Parkerville Road, for potential health hazards which might exist from the Town's former landfill. Selectmen asked Mr. Grossman to consult our Board of Health regarding this matter.

Board noted September 29 petition from Robert M. Johnson and 21 others asking for a sidewalk for Central Street. These signatures are to be certified by the Board of Registrars in order to place this request as an article in the 1982 Town Warrant.

Board noted December 3, 1981 letter from HUD advising that there are 1,263 units under Section 8 available in the Metropolitan Area Planning Council area. Mr. Grossman informed the Board that there may be grant money available for 20 communities, the main purpose of the housing is for moderate to low-income persons. Housing is for rehabilitation or economic development in a downtown area. You have to substantiate that low-income level. Selectman McAuliffe will be meeting with Wendy Plotkin of the MAPC to discuss this matter.

Board noted Advance Copy of the 1981 Acts and Resolves, Chapter 574, "An Act Authorizing and Directing the MDC to issue a permit to Ernest Kallander to construct a storage building at the Stony Brook Golf Course in the Town of Southborough" effective November 24, 1981.

Board discussed December 4, 1981 letter from Conservation Commission Chairman Brian Mauro regarding an error that was made during the transfer of Davco Farm to the Town. It was the intent of all that Ray Davis would retain six buildable lots along Woodland Road. The six that were reserved were not buildable. Mr. Davis wants to exchange these for six lots that are buildable. Conservation Commission agrees and wishes to honor the intent of the agreement with him by submitting an Article in the 1982 Town Warrant to bring this about. Selectman Cipriano would like the Town Counsel to review this change regarding its impact with respect to affecting the deed, the plans etc.

Continued

Re: Letter from Conservation Commission re Ray Davis Property

Chairman Bartolini stated that this will be placed in the 1982 Town Warrant and that the Town Counsel will be instructed to review this matter and report his findings to the Board as soon as possible. Conservation Commissioner Robert Hoss was present at tonight's meeting and stated that he was not on the Commission at last year's Town Meeting but was informed that the Commission picked at random the six lots as there was no time to have them perked before the Town Meeting.

Board discussed December 4, 1981 letter from Conservation Commission Chairman Brian Mauro advising that Alvah Hubley has offered his 2.48 acre parcel of land on Southville Road. (Bk 3562, Pg. 301, Map 03, Parcel 39) to the Conservation Commission as a gift. Town Counsel will be instructed to check to see if title is clear and that there are no problems. Conservation Commissioner Hoss stated that this is not a buildable lot but would be a good piece of land for conservation purposes: (1) to preserve the wetlands (2) open space, and (3) retention area for future drainage off Southville Road.

Board noted letter from Gerald M. Cohen, Chairman, Committee on Taxation, House of Representatives re H.7153 (amending Proposition 2½) enclosing a suggested draft of a home rule petition which the Board may wish to file if H.7153 does not become law.

Board reviewed a letter dated December 3, 1981 from Police Chief William D. Baker in which he submitted the names of Charles Keller and Dan Chernewski for the Board's consideration for the position of Police Sergeant. Selectmen McAuliffe suggested that this decision be deferred until the Board's next meeting, December 15, at 7:45 pm. Selectman Cipriano concurred. He wished to review the records of these two men and to verify the physicals on file. The Board unanimously VOTED to make an appointment next week subject to the candidate's passage of a physical examination which will be set up by the Board by a Doctor of the Board's choice. Upon review of the result of that physical, if the candidate is found to be physically healthy, then the promotion can be made.

Questions from the Audience: Mrs. Peter Phaneuf, owner of the property at 7 John Street, asked the status of the greenhouse owned by Mr. Helmer Metz at 9 John Street. Administrative Assistant Grossman informed Mrs. Phaneuf that Mr. Metz' lawyer will advise his client that he should remove the greenhouse.

8:54 p.m. VOTED to adjourn the meeting


Marjorie Putnam, Secretary

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, December 15, 1981

7:30 p. Meeting convened in the Hearing Room. Present were:
Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe,
Selectman Aldo A. Cipriano, Office Manager Janice Conlin,
Secretary Marjorie R. Putnam, Joseph Green, Maxine and
Danny Chernewski, and members of the press Jean Bigelow
(Villager), Lois Coit (Worcester Telegram & Gazette).

Treasury Warrants signed by the Board:

Revenue Sharing # 17	\$ 1,648.59	TW #96	\$ 8,875.51
# 94	96,569.70	TW #97	285,351.62
# 95	369,891.60		

PERMITS GRANTED:

Temporary Trailer Permit to sell Christmas trees near 154 Turnpike Road was granted to Robert J. Bartolini. VOTED by: Selectman McAuliffe and Selectman Cipriano. Chairman Bartolini abstained.

APPOINTMENT:

Unanimous VOTE to promote Patrolman Danny R. Chernewski, 36 Fisher Rd., Southborough, to Sergeant in the Southborough Police Department. Motion made by Selectman McAuliffe, seconded by Selectman Cipriano.

Discussion on this appointment:

Selectman McAuliffe stated that he had reviewed the Chief's recommendations and had discussed these with him. As a result of careful deliberation, Selectman McAuliffe made the Motion that Danny Chernewski be promoted to the rank from patrolman to police sergeant. Both of the candidates were very closely ranked. It was only after a lot of deliberation that he came to the conclusion he arrived at.

Selectman Cipriano stated that he had spoken to Chief William D. Baker and reviewed his report, the files, and the qualifications of each candidate. It was a difficult decision to make. Selectman Cipriano said he found a number of excellent qualifications that Mr. Chernewski possesses. He pointed out that Mr. Chernewski holds Associate's and Bachelor's Degrees and is currently pursuing a Masters Degree studying criminal law. Selectman Cipriano believes that Officer Chernewski's character is one of the highest quality of leadership and good judgement needed for a Sergeant. He is a well respected officer. He has started public relation programs. He has organized drop-in sessions at Algonquin. He scored above the national average in his written examination for Sergeant. These were the reasons why Selectman Cipriano seconded Selectman's Motion.

LICENSES APPROVED: Automatic Amusement Device Licenses were renewed for 1982 for Muley's Food and Spirits, Hong Chow Restaurant (2 licenses), and Bullwinkle's Pub. Unanimous voice vote.

CORRESPONDENCE:

Board noted December 8, 1981 memo from Mass. Municipal Association regarding legislation, H-7269, which was amended by Governor King. The second bill S-2386 is still pending before the Senate. Board instructed Town Counsel to write an opinion on whether or not the Town should accept Section 20A or Section 20½ of the parking law.

Board noted December 4, 1981 letter from Worcester Department Public Works, Henry C. Holmes, District Highway Engineer responding to the requests of the Traffic Study Committee at the meeting of September 30, 1981.

Board noted Zoning Board of Appeals Decision granting a Special Permit to Robert H. and Joanne T. Perkins to install an accessory apartment, 75 Flagg Road.

Board noted December 14, 1981 letter from Peter Savello, Sanitary Engineer to the Board of Health, to St. Mark's School stating that the Board of Health found no problems with the proposal re the project by St. Mark's School of the rehabilitation of the lagoons at the rear of the School Street building.

Board noted and briefly discussed two petitions presented by Joseph Green and others. Mr. Green was present and wanted to make sure the Zoning By-Laws were clarified. Therefore, he presented these two petitions for Articles to be placed in the Town Warrant for 1982. One petition was to correct the lack of screening requirements for Business Districts, Section 4 of the Zoning By-Law. The other petition was to put some restraints on the language in the Zoning By-Laws regarding Off Street Parking (Section V, paragraph C, number 1) after the problems experienced with A.J. Lane. Selectman McAuliffe stated that he believed the Planning Board intends to place similar Articles in the 1982 Town Warrant. Board instructed Town Counsel to make sure the legal language is correct for the Articles and that the Planning Board should be contacted regarding these two petitions.

8:02 p.m. VOTED: to adjourn the meeting.


Marjorie R. Putnam, Secretary

MINUTES OF MEETING
BOARD OF SELECTMEN

Tuesday, December 22, 1981

Hearing Room

7:30 p.m. Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam and members of the press.
(Selectman Cipriano was not present.)

Treasury Warrants signed by the Board:

\$ 20,306.98 #98	\$ 27,160.97 #100	\$ 7,907.72 #102
\$ 750,000.00 #99	\$ 7,447.33 #101	

PERMITS GRANTED:

Site Plan approved as submitted by Roger E. Bray to operate an antique shop in his home at 9 Woodland Road. (See 8 p.m. appointment for more details).

LICENSES APPROVED:

1. Special Permit (1 day beer and wine license) granted to St. Matthew's Church, Southville Road c/o Tony Manzelli (10 Bryden Road) for a New Year Eve's party from 8 p.m. 12/31/81 to 1:00 a.m. 1/1/82.
2. Selectman McAuliffe and Chairman Bartolini signed Automatic Amusement Device License renewal for 1982 for Richard P. Curran d/b/a Southborough News Shop.

APPOINTMENT:

- Selectmen VOTED: (1) In accordance with Chapter 605 of the Acts of 1981, to accept all provisions as stated in the legislation pertaining to Mass. General Laws Chapter 90, Section 20A.
(re a Parking Clerk for the Town of Southborough)
- (2) to appoint Mary B. Guilford, the Treasurer/Collector, as PARKING CLERK FOR THE TOWN OF SOUTHBOROUGH effective January 1, 1982.

8:00 p.m. Site Plan Hearing held on application of Roger E. Bray to
8:07 p.m. and Karen Bray to operate an antique business in their home at 9 Woodland Road, Fayville. Mr. and Mrs. Bray were present.

Mr. Bray stated he believed at a prior meeting when he questioned the Board as to home businesses, the then Chairman, Donna McDaniel, said it was an allowable home business. Chairman Bartolini informed Mr. Bray that it is an allowable home business but that you still have to go through the Site Plan process such as he is doing tonight. The Brays presented the certified mail receipts proving that the abutters had been notified of this hearing. The only abutter present was Edward D. Estella, 21 Woodland Road, who just wanted to know the extent of the antique business. Mr. Bray said this is a family business, with just he and his wife running it in a small work area. Building Inspector Edgar A. Phaneuf, Jr. said he had no problems with the site plan. Since the other Boards had no problems with this site plan and no objections were received from any abutter, Selectmen unanimously VOTED: to accept this site plan as presented to the Board.

NO OTHER APPOINTMENTS WERE SCHEDULED.

Selectmen unanimously VOTED: that their next meeting will be January 5, 1982 and that they will not meet on December 29, 1981.

Selectmen unanimously VOTED: to take under advisement the Bids for printing the Town Report and Advisory Committee Report. Two bids were opened on 12/17/81:

- #1 Bidder: Renee Press
- #2 Bidder: Quikprint

CORRESPONDENCE:

December 11, 1981 letter from Worcester Department of Public Works, Henry Holmes, District Highway Engineer, re the replacement of Bridge No. S-20-5 (Rt. 85 - Marlborough Road). Mr. Holmes' department recommends a new bridge and the provision of two 12-foot travel lanes and two 8-foot paved shoulders with a sidewalk to be built on the easterly side. Selectmen have to decide whether this should be funded under the Bridge Replacement Program or F.A. Urban Systems. Highway Superintendent John Boland is to be consulted as to the best method of funding.


Planning Board submitted three additional Articles for the Annual Town Meeting '82 re Flood Plains, Hazardous Wastes, and Parking. Selectmen instructed the Town Counsel to review these proposed Articles and submit his recommendation to the Board before these are placed on the Warrant.

Board noted that Wiring Inspector James A. McCaw will be on vacation from December 24, 1981 through January 8, 1982 and that Mr. Richard Trudel of Hopkinton, Mass., the Assistant Wiring Inspector, will be covering for Mr. McCaw.

Board noted receipt of preliminary surveys done on (1) Boston and Framingham Roads and (2) Marlborough and Framingham Roads received from the Worcester County Engineering Department, John C. O'Toole, County Engineer.

December 11 letter to Board of Assessors from Department of Revenue regarding the real and personal property assessments (as of 1/1/82). In accordance with certification requirements the real and personal property assessments must reflect full and fair cash values as of 1/1/82. The Assessors have to submit their plan and timetable for meeting these requirements no later than 1/4/82.

8:10 p.m. VOTED: to adjourn the meeting.


Marjorie R. Putnam, Secretary

mrp/mfm